



# **GAZETTEER OF INDIA**

## **VOLUME FOUR**





# THE GAZETTEER OF INDIA

INDIAN UNION

ADMINISTRATION AND PUBLIC WELFARE

*Editor*

DR. P. N. CHOPRA

VOLUME V



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MINISTRY OF EDUCATION AND SOCIAL WELFARE

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## FOREWORD

I have great pleasure in introducing to the reading public the fourth volume of the Gazetteer of India *Administration and Public Welfare*. Besides administration at the centre and in the states and union territories, it deals with such important topics as constitution, defence, education and culture, scientific research and development, social welfare, public life and India's foreign policy. It takes note of our achievements in all these fields since independence in their historical perspectives. With the publication of this volume, we have completed the monumental task of revision rather rewriting of the four volumes of the Indian Gazetteers. This is really a great achievement for which I congratulate the Editor and the staff of the Gazetteers Unit.

The earlier three volumes viz., *Country and People*, *History and Culture* and *Economic Structure and Activities* were well received by the public and the press. I do hope this volume will be welcomed not only by students and scholars but by all those interested in the manifold achievements of our country during the last three decades.

I also take this opportunity to thank the distinguished contributors to this volume who are men of distinction in their respective fields. They have lent to this work the benefit of their profound scholarship.

New Delhi

P.C. CHUNDER  
Minister of Education,  
Social Welfare and Culture

## PREFACE

With the publication of Volume III of the Gazetteer of India entitled *Administration and Public Welfare*, the last in the series, the work of the revision of Indian Gazetteers has been completed, the three previous volumes published being Volume I, *Country and People*, Volume II, *History and Culture* and Volume III, *Economic Structure and Activities*.

These volumes follow a different scheme of treatment which is more systematic and informative than that of the Imperial Gazetteer of India. All the subjects have now been dealt with in an objective manner under appropriate chapter headings. The present volume, *Administration and Public Welfare* deals with such diverse topics as the constitution of India, administration, both at the centre and the states, defence, scientific research and development, law and justice, medical and public health, public life and political activities, education and culture and international relations. The main stress in this volume is on the achievements made by India in all these spheres since Independence. The experts have dealt with these topics in their historical perspective. The Government of India is indebted to them for contributing the chapters or sections allotted to them. The work of editing these volumes entailed reconciliation of conflicting views expressed in various chapters, avoiding repetition, checking the factual veracity, deleting statements of a controversial nature and ensuring uniformity and an overall perspective. Most of these chapters which were written long ago had to be updated with the help of the scholars concerned, a time-consuming and difficult task. The volume was ready for the press in 1975, when many changes took place and a few sections had to be revised carefully, the contributors extending all possible cooperation in this task.

The Editor of this volume has a sense of fulfilment of a mission undertaken in 1967 when only one volume had been published. Besides three volumes of the Gazetteer of India, the second edition of Volume I, *Country and People* which had gone out of print was also brought out. Some of the chapters of Volume I which had a wider public appeal were also published separately in the form of booklets. During this period, three volumes of *Who's Who of Indian Martyrs* and *History of the Penal Settlement in Andamans* were also brought out.

Most of the states have completed the work of the revision of the district gazetteers. Of over 330 district gazetteers, the drafts of about 300 gazetteers have been completed. I should like to take

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this opportunity to express my gratitude to the State Editors who extended their cooperation and tried to adhere to the uniform plan adopted by the Ministry and implemented the suggestions offered.

The compilation and publication of the state gazetteers and the supplementary volumes of the district gazetteers is now being taken up, the latter being issued only in respect of those district gazetteers which were published ten years ago. There will be one volume of each state gazetteer dealing with all aspects of the life of the people—social, cultural, physical, historical, economic, etc., comprising about 500-600 printed pages. Both these schemes will be completed by 1980-81. Thus the work of revision of the gazetteers in all the states and union territories will be completed by then.

The preparation of gazetteers was initiated as early as 1871 when (Sir) W.W. Hunter presented a comprehensive plan for the gazetteers to the then Government of India. The first edition of *The Imperial Gazetteer of India* was published in 1881 in nine volumes. The companion volume *The Indian Empire : Its History, People and Products*, appeared in 1882, the second edition of *The Imperial Gazetteer of India* was brought out in fourteen volumes in 1885-87. The new revised edition of the gazetteer was published in 1907-09 in twenty six volumes, the first four volumes being the revised version of Hunter's *The Indian Empire*, the next twenty constituting the alphabetical series and the last two the index and atlas. The Government of India took up the work of revision of the gazetteers in 1958 but it was deferred in order to incorporate the results of the decennial census of 1961.

There is a view that the gazetteers are perhaps not of much use when considerable material on the various subjects dealt with in the gazetteers is already available in other publications. It should, however, be kept in mind that the gazetteer of a district is a coordinated and self-contained unit which gives information about every aspect of the life of the people and the characteristics of the area under survey—the physiographical, historical, economic, cultural, administrative, etc., in a single volume. It is, therefore, all the more necessary that in a country as vast and diversified as India all the citizens should come to know of and respect the life and culture of other regions and other sections of the people. Here the gazetteer also performs a valuable role. It brings out the similarities underlining the seeming differences between the people of one region and another and thus helps the cause of national cohesion. It is not only of practical help to the administrator and the scholar but also to the general public and will be useful not only to the reader of today but to all people at all times.

I should like to take this opportunity to thank Dr. P. C. Chunder, Minister of Education & Social Welfare, Smt. Renuka Devi Barkataki

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and Shri Dhanna Singh Gulshan, Ministers of State and Shri P. Sabanayagam, Secretary, for their encouragement and guidance. Dr. Chunder who is himself a well-known historian, evinced keen interest in the work of the revision of gazetteers. I am particularly indebted to Shri A. S. Gill, Additional Secretary, who took special interest in this work and gave all possible help in the completion of the task. I should also like to express my thanks to my colleagues, Dr. L.M. Gujral, Dr. (Miss) N. Sen Gupta, Shri L.C. Goswami, Dr. Dayal Dass, Dr. B.N. Sharma, Shri P.R. Chopra and Shri M.L. Gupta. I am equally grateful to the staff of the Gazetteers Unit and the Government of Indian Press for their help and cooperation.

P. N. CHOPRA.

New Delhi,





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## CHAPTER I

# CONSTITUTION

### I. Historical Background

Since the Constitution of India is the product not of a political revolution but of the deliberation of a body of eminent representatives of the people who sought to improve upon the existing system of administration, a retrospect of the constitutional development is indispensable for a proper understanding of this Constitution<sup>1</sup>. This explains why the Instrument of 1949 adopted much from the constitutional documents which preceded and yet is not a replica of any of them. Its advance over its predecessors and the majesty of its new features is due to the fact that while the constitutional documents of the preceding two centuries had been imposed by an imperial power, the Republican Constitution is made by the people themselves, through representatives assembled in a sovereign Constituent Assembly.

We must, therefore, start with the events and circumstances which led to the convening of the Constituent Assembly for making a Constitution for independent India towards the end of 1946.

**Government of India Act, 1858 :** For our present purposes we need not go beyond the year 1858 when the British Crown assumed sovereignty over India from the East India Company, and the British enacted the first statute for the governance of India under the direct rule of the British Government, the Government of India Act, 1858<sup>2</sup>. This Act may thus serve as the starting point of survey because it was dominated by the principle of absolute imperial control without any popular participation in the administration of the country, while the subsequent history up to the making of the Constitution is one of gradual relaxation of imperial control and the evolution of responsible government. By this Act, the powers of the Crown were to be exercised by the Secretary of State for India, assisted by a council of fifteen members, known as the Council of India. The Council was

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<sup>1</sup>. This chapter was written in 1975.

<sup>2</sup>. *The Report of Indian Statutory Commission (Simon Commission)*, 1930, Vol. I, p. 112.

composed exclusively of people from England, some of whom were nominees of the Crown while others were the representatives of the Directors of the East India Company. The Secretary of State, who was responsible to the British Parliament, governed India through the Governor-General, assisted by an Executive Council.

The essential features of the system introduced by the Act of 1858 were :

- (i) The administration of the country was not only unitary but rigidly centralized. Though the territory of British India was divided into provinces with a Governor or Lieutenant-Governor aided by his Executive Council at the head of each of them, the provincial governments were mere agents of the Government of India and had to function under the superintendence, direction and control of the Governor-General in all matters relating to the government of the province.
- (ii) The control of the Secretary of State over the Indian administration was absolute. The Act vested in him the 'superintendence, direction and control of all acts, operations and concerns which in anywise related to the Government or revenue of India'. Subject to his ultimate responsibility to the British Parliament, he wielded the Indian administration through the Governor-General as his agent and his was the last word, whether in matters of policy or of details.

**Indian Councils Act, 1861** : The Indian Councils Act of 1861 introduced a grain of popular element in so far as it provided that the Governor-General's Executive Council which was so long composed exclusively of official members, should include certain additional non-official members, while transacting legislative business as a Legislative Council. But this Legislative Council was neither representative nor deliberative in any sense. The members were nominated and their functions were confined exclusively to a consideration of the legislative proposals placed before it by the Governor-General.

Similar provisions were made by the Act of 1861 for Legislative Councils in the provinces. But even for initiating legislation in these Provincial Councils with respect to many matters, prior sanction of the Governor-General was necessary.

**Indian Councils Act, 1892** : Two improvements upon the preceding state of affairs as regards the Indian and Provincial Legislative Councils were introduced by the Indian Councils Act, 1892, namely, that (i) though the majority of official members was retained, the non-official members of the Indian Legislative Council were henceforth to be nominated by the Bengal Chamber of Commerce and the Provincial

**Legislative Councils** while the non-official members of the Provincial Councils were to be nominated by certain local bodies such as universities, district boards, municipalities; (ii) the Councils were to have the power of discussing the annual statement of revenue and expenditure *i.e.*, the Budget, and of addressing questions to the executive.

**Indian Councils Act, 1909** : The first attempt at introducing a representative and popular element in legislature was made by the Morley-Minto Reforms, known by the names of the then Secretary of State for India (Lord Morley) and the Viceroy (Lord Minto), which were implemented by the Indian Councils Act, 1909.

The changes relating to the Provincial Legislative Councils were, of course, more advanced. The size of these Councils was enlarged by including elected non-official members thus ending the official majority. An element of election was also introduced in the Legislative Council at the centre but the official majority there was retained. The deliberative functions of the Legislative Councils were also increased by this Act by giving them the opportunity of influencing the policy of the administration by moving resolutions on the budget and on any matter of public interest, save certain specified subjects, such as the armed forces, foreign affairs, and the Indian states.

On the other hand, the positive vice of the system of election introduced by the Act of 1909 was that it provided, for the first time, for separate representation of the Muslim community and thus sowed the seeds of separatism that eventually led to the lamentable partition of the country.

The unrepealed provisions of the preceding Government of India Acts were consolidated by the Act of 1915.

**Government of India Act, 1919** : The next landmark in the constitutional development of India is the Montagu-Chelmsford Report which led to the enactment of the Government of India Act, 1919.

The Morley-Minto Reforms failed to satisfy the aspirations of the nationalists in India inasmuch as, professedly, the Reforms did not aim at the establishment of a parliamentary system of government in the country and provided for the retention of the final decision on all questions in the hands of the irresponsible executive.

The Indian National Congress (established in 1885) which was so long under the control of the Moderates, became more active during the First World War and started its campaign for self-government known as the Home Rule movement. In response to this popular demand, the British Government made a declaration on August 20, 1917 that the policy of "His Majesty's Government was that of increasing association of Indians in every branch of administration and the gradual development of self-governing institutions with a view to progressive realization of Responsible Government in British India

as an integral part of the British Empire”.

The then Secretary of State for India (E. S. Montagu) and the Governor-General (Lord Chelmsford) were entrusted with the task of formulating proposals for carrying out the above policy and the Government of India Act, 1919 gave a legal shape to their recommendations, by way of amendments to the Act of 1915.

The main feature of the system introduced by the Government of India Act, 1919 was that responsible government in the provinces was sought to be introduced, without impairing the responsibility of the Governor for the administration of the province, by resorting to a device known as ‘Dyarchy’ or dual government. The subjects of administration were to be divided by rules made under the Act into two categories—central and provincial. The central subjects were those which were exclusively kept under the control of the central government. The provincial subjects were sub-divided into ‘transferred’ and ‘reserved’ subjects. Of the matters assigned to the provinces the ‘transferred subjects’ were to be administered by the Governor with the aid of ministers responsible to the Legislative Council in which the proportion of elected members was raised to 70 per cent. The foundation of responsible government was thus laid on the narrow sphere of ‘transferred’ subjects. The ‘reserved’ subjects, on the other hand, were to be administered by the Governor and his Executive Council without any responsibility to the Legislature.

The Reforms of 1919, however, failed to fulfil the aspirations of the people in India, and led to an agitation by the Congress under the leadership of Mahatma Gandhi for *swaraj* or “self rule within the empire, if possible, without if necessary” to be attained through non-cooperation. The shortcomings of the 1919 system, mainly, were :

- (i) Notwithstanding a substantial measure of devolution of power to the provinces, the structure still remained unitary and centralized “with the Governor-General in Council as the keystone of the whole constitutional edifice; and it is through the Governor-General in Council that the Secretary of State and, ultimately, Parliament discharge their responsibilities for the peace, order and good government of India”. It was the Governor-General and not the courts who had the authority to decide whether a particular subject was central or provincial.
- (ii) The greatest dissatisfaction came from the working of Dyarchy in the provincial sphere. In a large measure, the Governor came to dominate ministerial policy by means of his overriding financial powers and control over the official block in the legislature. In practice, scarcely any



question of importance could arise without affecting one or more of the reserved departments. The impracticability of a division of the administration into two water-tight compartments was manifested beyond doubt.

- (iii) There was no provision for collective responsibility of the ministers to the provincial legislature. The ministers were appointed individually, acted as advisers to the Governor and differed from members of the Executive Council only in the fact that they were non-officials. The Governor had the discretion to act otherwise than in accordance with the advice of his ministers; he could certify a grant refused by the legislature or a Bill rejected by it if it was regarded by him as essential for the due discharge of his responsibilities relating to a 'reserved' subject.

**Simon Commission :** The persistent demand for further reforms, attended with the dislocation caused by the Non-cooperation Movement, led the British Government, in 1927, to appoint a Statutory Commission, as envisaged by the Government of India Act, 1919 itself, to inquire into and report on the working of the Act and, in 1929, to announce that Dominion Status was the goal of Indian political developments. The Commission, headed by Sir John Simon, reported in 1930. The Report was considered by a Round Table Conference consisting of the delegates of the British Government and of British India as well as of the rulers of the Indian states (inasmuch as the scheme was to unite the Indian states with the rest of India under a federal scheme). A White Paper, prepared on the results of this Conference, was examined by a Joint Select Committee of the British Parliament and the Government of India Bill was drafted in accordance with the recommendations of that Select Committee, and passed, with certain amendments, as the Government of India Act, 1935.

Before analyzing the main features of the system introduced by this Act, it should be pointed out that this Act went another step forward in perpetuating the communal cleavage between the Muslim and non-Muslim communities, by prescribing separate electorates on the basis of the 'Communal Award' which was issued by Ramsay Macdonald, the British Prime Minister, on August 4, 1932, on the ground that the two major communities had failed to come to an agreement.

**Government of India Act, 1935 :** While under all the previous Government of India Acts, the Government of India was unitary, the Act of 1935 prescribed a Federation, taking the provinces and the Indian states as units. But it was optional for the Indian states to join the Federation; and since the rulers of the Indian states never gave their consent, the Federation envisaged by the Act of 1935 never

came into being.

But though the Part relating to the Federation never took effect, the Part relating to Provincial Autonomy was given effect to since April 1937. The Act divided legislative powers between the provincial and central legislatures, and within their defined sphere, the provinces were no longer functioning as agents of the central government, but were autonomous units of administration. To this extent, the Government of India assumed the role of a federal government *vis-a-vis* the provincial governments, though the Indian states did not come into the fold to complete the scheme of federation.

Though the Indian states did not join the Federation, the federal provisions of the Government of India Act, 1935, were in fact applied as between the central government and the provinces.

The division of legislative powers between the centre and the provinces under the Act of 1935 is of special interest in view of the fact that the division made in the Constitution between the union and the states proceeds largely on the same lines. It was not a mere delegation of power by the centre to the provinces as was effected by rules made under the Government of India Act, 1919. The Act of 1935 itself divided the legislative powers between the central and the provincial legislatures and, subject to the provisions mentioned below, neither legislature could transgress the powers assigned to the other. A three-fold division was made in the Act which is as follows :

(i) There was a Federal List over which the Federal Legislature had exclusive powers of legislation. This List included matters such as external affairs, currency and coinage, military, naval and air forces and census. (ii) There was a Provincial List of matters over which the provincial legislature had exclusive jurisdiction, *e.g.*, police, provincial public service, education, etc. (iii) There was a Concurrent List of matters over which both the federal and provincial legislatures had concurrent jurisdiction, *e.g.*, criminal law and procedure, civil procedure, marriage and divorce, arbitration. etc.

The executive authority of a province was to be exercised by a Governor on behalf of the Crown and not as a subordinate of the Governor-General. The Governor was required to act with the advice of ministers responsible to the legislature.

But, notwithstanding the introduction of provincial autonomy, the control of the central government over the provinces was retained; by requiring the Governor to act 'in his discretion' or in the exercise of his 'individual judgement' in certain matters. In such matters, the Governor was to act without ministerial advice and under the control and directions of the Governor-General, and, through him, of the Secretary of State.

Dominion Status, which was promised in 1929, was not conferred

by the Government of India Act, 1935. The failure of the Statutory Commission and the Round Table Conference to satisfy Indian aspirations was thus aggravated by the Act of 1935. It thus accentuated the demand for a popular constitution, which was officially asserted by the Indian National Congress in 1935. In 1938, Pandit Jawaharlal Nehru definitely formulated his demand for a Constituent Assembly thus :

“The National Congress stands for independence and a democratic state. It has proposed that the Constitution of free India must be framed, without outside interference, by a Constitution Assembly elected on the basis of adult franchise.”

This was reiterated by the Working Committee of the Congress in 1939.

**Cripps Mission :** This demand was, however, resisted by the British Government until the outbreak of World War II when external circumstances forced them to realize the urgency of solving the Indian constitutional problem. In 1940, the coalition government in England recognized the principle that Indians should themselves frame a new constitution for autonomous India, and in March 1942, when the Japanese were at the doors of India, they sent Sir Stafford Cripps, a member of the Cabinet, with a draft declaration of the proposals of the British Government which were to be adopted at the end of the War provided the two major political parties (Congress and the Muslim League) could come to an agreement to accept them, namely :

- (i) that the Constitution of India was to be framed by an elected Constituent Assembly of the Indian people ;
- (ii) that the Constitution should give India Dominion Status, equal partnership of the British Commonwealth of Nations;
- (iii) that there should be one Indian Union comprising all the provinces and Indian states ; but
- (iv) that any province (or Indian state) which was not prepared to accept the Constitution would be free to retain its constitutional position existing at that time and with such non-acceding provinces the British Government could enter into separate constitutional arrangements.

But the two parties failed to come to an agreement to accept the proposals, and the Muslim League urged

- (i) that India should be divided into two autonomous States on communal lines, and that some of the provinces earmarked by M. A. Jinnah, should form an independent Muslim State, to be known as Pakistan, and
- (ii) that instead of one Constituent Assembly, there should be two Constituent Assemblies, *i.e.*, a separate Constituent Assembly for Pakistan.

**Cabinet Delegation :** After the rejection of the Cripps proposals (followed by the 'Quit India' Movement of 1942 launched by the Congress), various attempts to reconcile the two parties were made, including the Simla Conference held at the instance of the Governor-General, Lord Wavell. These having failed, the British Cabinet sent three of its own members, including Sir Stafford Cripps himself, to make another serious attempt. But the Cabinet Delegation, too, failed in making the two major parties come to any agreement and was, accordingly, obliged to put forward its own proposals, which were announced simultaneously in India and in England on May 16, 1946.

The broad features of the scheme were :

- (i) There would be a Union of India, comprising both British India and the states, and having jurisdiction over the subjects of foreign affairs, defence and communications, while all residuary powers would belong to the provinces and the states.
- (ii) The Union would have an Executive and a Legislature constituted of representatives of the provinces and states. But any question raising a major communal issue in the Legislature would require for its decision a majority of the representatives of the two major communities present and voting as well as a majority of all the members present and voting.
- (iii) The provinces would be free to form groups having executives and legislatures, and each group would be competent to determine the provincial subjects which would be taken up by the group organization.

The scheme laid down by the Cabinet Mission was, however, commendatory, and it was contemplated by the Mission that it would be adopted by agreement between the two major parties. An unforeseen situation, however, arose after the election for the Constituent Assembly was held. The Muslim League joined the election and its candidates were returned. But a difference of opinion had in the meantime arisen between the Congress and the Muslim League regarding the interpretation of the 'grouping clauses' of the proposals of the Cabinet Mission. The British Government intervened at this stage, and explained to the leaders in London that they upheld the contention of the League as correct, and on December 6, 1946, the British Government issued a statement declaring that "Should the Constitution come to be framed by the Constituent Assembly in which a large section of the Indian population had not been represented, His Majesty's Government could not, of course, contemplate—as the Congress have stated they would not contemplate—forcing such a constitution upon any unwilling part of the country",

**Constituent Assembly :** The result was that on December 9, 1946, when the Constituent Assembly first met, the Muslim League members did not attend, and the Constituent Assembly began to function with the non-Muslim League members. On the other hand, the British Government, by their Statement of February 20, 1947, declared :

- (i) that British rule in India would end at a date not later than June, 1948, after which the British would certainly transfer authority to Indian hands; and
- (ii) that if by that time a fully representative Constituent Assembly failed to work out a constitution in accordance with the proposals made by the Cabinet Delegation, "HMG will have to consider to whom the powers of the Central Government in British India should be handed over, on the due date, whether as a whole to some form of Central Government for British India, or in some areas to the existing Provincial Government, or in such other way as seems most reasonable and in the best interests of the Indian people."

The result was inevitable and the Muslim League did not consider it necessary to join this Assembly, and went on pressing for another Constituent Assembly for 'Muslim India'.

The British Government next sent Lord Mountbatten to India as the Governor-General, in place of Lord Wavell, in order to expedite the preparations for the transfer of power, for which they had fixed a rigid time limit. Lord Mountbatten brought the Congress and the League into a definite agreement that the two 'problem' provinces of the Punjab and Bengal would be partitioned so as to form absolute Hindu and Muslim majority blocks within these provinces. The League would then get its Pakistan—which the Cabinet Mission had denied it—minus Assam, East Punjab and West Bengal, while the Congress which was taken as the representative of the whole of India except the Muslims, would get the rest of India where the Muslims were in a minority.

The actual decision as to whether the two provinces of the Punjab and Bengal were to be partitioned was, however, left to the vote of the members of the Legislative Assemblies of these two provinces, meeting in two parts, according to a plan known as the 'Mountbatten Plan'. It was given a formal shape by a statement made by the British Government on June 3, 1947, which also proposed that there would be a referendum in the North-West Frontier Province and in the Muslim majority district of Sylhet as to whether they would join India or Pakistan.

The statement further declared the British Government's intention

“to introduce legislation during the current session for the transfer of power this year on a Dominion Status basis to one or two successor authorities according to decision taken as a result of this announcement.”

The result of the vote according to the above plan was that the representatives of the Muslim majority areas of the two provinces (*i.e.*, West Punjab and East Bengal) voted for partition and for a new Constituent Assembly. The referendum in the North-West Frontier Province and Sylhet was in favour of Pakistan.

**Indian Independence Act, 1947 :** In July 1947, the Governor-General announced the setting up of a separate Constituent Assembly for Pakistan. The plan of June 3, 1947 having thus been carried out, nothing stood in the way of effecting the transfer of power by enacting a statute of the British Parliament in accordance with the declaration. The Indian Independence Bill was, accordingly, drafted on the basis of the above plan, and this Bill was passed on July 18 and placed on the statute book as the Indian Independence Act, 1947.

The most outstanding characteristics of the Indian Independence Act was that, while other Acts of Parliament relating to the Government of India sought to lay down a constitution for the governance of India by the legislative will of the British Parliament, this Act of 1947 did not lay down any such constitution. It simply provided that as from August 15, 1947 (which date is referred to in the Act as the ‘appointed date’), in place of ‘India’ as defined in the Government of India Act, 1935, there would be set up two independent Dominions, to be known as India and Pakistan, and that the Constituent Assembly of each Dominion was to have unlimited power to frame and adopt any constitution and to repeal any Act of British Parliament, including the Indian Independence Act.

Under the Act, the Dominion of India got the residuary territory of India excluding the provinces of Sind, Baluchistan, West Punjab, East Bengal, and the North-West Frontier Province and the district of Sylhet in Assam (which had voted in favour of Pakistan at a referendum, before the Act came into force).

The Constituent Assembly which had been elected for undivided India and held its first sitting on December 9, 1946 reassembled on August 14, 1947, as the sovereign Constituent Assembly for the Dominion of India.

Before we proceed further to the history of the framing of the Constitution of India by the Constituent Assembly, we should refer to the problem of unifying the Indian states with the rest of India, which had baffled the framers of the Government of India Act, 1935 and had ultimately led to the failure of the federal scheme envisaged by that Act. It goes to the credit of the makers of the Constitution

that they could solve this problem with unique success.

**Constitutional Development of Indian States :** At the time of the constitutional reform leading to the Government of India Act, 1935, the geographical entity known as India was divided into two parts—British India and the Indian states. While British India comprised the nine Governors' provinces and some other areas administered by the Government of India itself, the Indian states comprised some 600 states which were mostly under the personal rule of rulers. All the 600 Indian states were not of the same order. Some of them were states under the rule of hereditary chiefs, which had political status even before the Muhammadan invasion; others were estates or *Jagirs* granted by the Muslim rulers as rewards, for services or otherwise, to particular individuals or families. But the common feature that distinguished these 600 states or so from British India was that the Indian states had not been annexed by the British Crown. So, while British India was under the direct rule of the Crown through its representatives and according to the statutes of Parliament and enactments of the Indian legislatures, the Indian states were allowed to remain under the personal rule of their chiefs and princes, under the 'suzerainty' of the Crown, which was assumed over the entire territory of India when the Crown took over authority from the East India Company in 1858.

The relationship between the Crown and the Indian states since the assumption of suzerainty by the former came to be described by the term 'Paramountcy'. The Crown was bound by engagements of a great variety with the Indian states. A common feature of these engagements was that, while the states were responsible for their own internal administration, the Crown accepted responsibility for their external relations and defence. As regards internal affairs, the policy of the British Crown was normally one of non-interference with the monarchical rule of the princes, but the Crown interfered in cases of misrule and maladministration, as well as for giving effect to its international commitments. Nevertheless, the rulers of the Indian states enjoyed certain personal rights and privileges, and normally carried on their personal administration, unaffected by all political and constitutional vicissitudes within the neighbouring territories of British India.

When Sir Stafford Cripps came to India with his plan, it was definitely understood that the plan proposed by him would be confined to settle the political destinies of British India only and that the Indian states would be left free to retain their separate status.

But the Cabinet Mission supposed that the Indian states would be ready to cooperate with the new development in India. So, they recommended that there should be a Union of India, embracing both

British India and the Indian states, which would deal only with foreign affairs, defence and communications, while the states would retain all powers other than these.

When the Indian Independence Act, 1947, was passed it declared the lapse of suzerainty and paramountcy of the Crown. But though paramountcy lapsed and the Indian states regained their position which they had prior to the assumption of suzerainty by the Crown, most of the states soon realized that it was no longer possible for them to maintain their existence independent of and separate from the rest of the country, and that it was necessary in their own interests to accede to either of the two Dominions of India and Pakistan. Of the states situated within the geographical boundaries of the Dominion of India, all numbering 552 save Hyderabad, Kashmir, Bhawalpur, Junagadh, Chitral, Khairpur, Dir, Swat and Amb had acceded to the Dominion of India by August 15, 1947, *i.e.*, before the 'appointed day' itself. The problem of the Government of India as regards the states after accession was two-fold—(i) shaping the Indian states into sizeable or viable administrative units and (ii) fitting them into the constitutional structure of India.

The first objective was sought to be achieved by a three-fold process of integration :

- (i) 216 states were merged into the respective provinces, geographically contiguous to them.
- (ii) 61 states were converted into centrally administered areas. This form of integration was resorted to in those cases in which for administrative, strategic or other special reasons, central control was considered necessary.
- (iii) The third form of integration was the consolidation of groups of states into new viable units, known as Union of States. As many as 25 states were thus integrated into 5 unions—Madhya Bharat, Patiala and East Punjab States Union, Rajasthan, Saurashtra and Travancore-Cochin. When the Constitution was framed, it became easy to incorporate these integrated Indian states into a separate category called 'States' in Part B of the first Schedule, and to bring them under the federal system by placing them, as much as possible, on the same footing as the other units of the federation, namely, the erstwhile Governors' provinces.

**Framing of the Constitution :** As stated earlier, the Constituent Assembly which held its first sitting on December 9, 1946, reassembled on August 14, 1947, as the sovereign Constituent Assembly for India.



The salient principles of the proposed Constitution had been outlined by various committees of the Assembly such as the Union Constitution Committee, the Union Powers Committee, the Provincial Constitution Committee, and after a general discussion of the reports of these Committees, the Assembly appointed a Drafting Committee on August 29, 1947. The Drafting Committee embodied the decisions of the Assembly with alternative and additional proposals in the form of a 'Draft Constitution of India', which was published in February 1948. The Constituent Assembly next met in November 1948, to consider the provisions of the Draft, clause by clause. After several sessions, the consideration of the clauses or the second reading was completed by October 17, 1949.

The Constituent Assembly again sat on November 14, 1949 for the third reading of the draft and finished it on November 26, 1949, on which date the Constitution received the signature of the President of the Assembly and was declared as passed. The provisions relating to citizenship, elections, provisional Parliament and temporary and transitional provisions were given immediate effect, *i.e.* from November 26, 1949. The rest of the Constitution came into force on January 26, 1950, and this date is referred to in the Constitution as the date of its commencement.

## II. The Constitution

The Constitution, being a bulky document, is not capable of being condensed into any short summary, with due justice to all its provisions. The best that can be attempted is to glance through its component parts and their essential contents.

The original Constitution of 1949 contained as many as 22 parts of which two have been subsequently repealed. The more important of the provisions contained in these parts (excluding those provisions which have since been repealed) may be summarized as follows :

**Preamble :** Every Constitution has a philosophy of its own. For the philosophy underlying our Constitution we must look into the Preamble which reflects the historic Objectives Resolution of Jawaharlal Nehru which was adopted by the Constituent Assembly on January 22, 1947, and which inspired the shaping of the Constitution through all its subsequent stages. The Preamble to our Constitution contains much that reminds one of the French 'Declaration of the Rights of Man and Citizen' and the 'Declaration of American Independence', and even something more.

The ideal of a democratic republic enshrined in the Preamble of the Constitution can be best explained with reference to the adoption of universal suffrage and the complete equality between the sexes not only before the law but also in the political sphere. In order to ensure the political justice held out by the Preamble, it was essential that every person in the territory of India, irrespective of his proprietary or educational claims, should be allowed to participate in the political system like any other person. Universal adult suffrage, without any qualification, was adopted with this object in view. Every man and woman of 21 and over is an elector for the House of the People and the respective Legislative Assembly. At the fifth General Elections held in 1971, the number of persons on the electoral roll was 272 million which is more than the population of the USA or the USSR.

The offering of equal opportunity to men and women, irrespective of their caste and creed, in the matter of public employment, also implements this democratic ideal. The treatment of the minorities, even apart from the constitutional safeguards, clearly brings out that the philosophy underlying the Constitution has not been overlooked by those in power. The fact that members of the Muslim community are as a rule being included in the Councils of Ministers and in the Supreme Court and even in our diplomatic corps and adorn the offices of the President and the Governors, the highest that India can offer, without any constitutional reservation in that behalf, amply demonstrates that the true spirit of the Constitution has been fully maintained namely, that every citizen must feel that this country is his own.

Another thing necessary for fostering this spirit of brotherhood is the equality of status and opportunity held out by the Preamble to all sections of the people and to every individual citizen in every public sphere. That object is secured in the body of the Constitution, by banning any discrimination by the State between citizen and citizen, simply on the ground of religion, race, sex or place of birth, by throwing open public places to all citizens ; by abolishing untouchability ; by abolishing titles of honour ; and by offering equality of opportunity in matters relating to employment under the State, as also guaranteeing equality before the law and equal protection of the laws as Justiciable rights.

Apart from these general provisions, there are special provisions in the Directive Principles which enjoin the State to place the two sexes on an equal footing in the economic sphere, by securing to men and women equal right to work and equal pay for equal work. That this democratic Republic stands for the good of all the people is embodied in the concept of a 'Welfare State' which inspires the

**Directive Principles of State Policy.** The economic justice assured by the Preamble can hardly be achieved if the democracy envisaged by the Constitution were confined to a 'political democracy'. In the words of Prime Minister Jawaharlal, "Democracy has been spoken of chiefly in the past, as political democracy, roughly represented by every person having a vote. But a vote by itself does not represent very much to a person who is down and out, to a person, let us say, who is starving or hungry. Political democracy, by itself, is not enough except that it may be used to obtain a gradually increasing measure of economic democracy, equality and the spread of good things of life to others and removal of gross inequalities."

**Union and its Territory :** The territory of India, which is governed by the Constitution, as amended, comprises of :

- (i) the territories of the states, as specified in the First Schedule ;
- (ii) the territories of the union territories specified in the First Schedule<sup>3</sup> and
- (iii) such other territories as may be acquired.

Space would not permit any elaborate treatment of the various reorganizations of territory of India, the constitution of new states and alterations in the areas of existing states which have been effected by a number of constitutional amendments (apart from the Seventh Amendment of 1956, just noted) as well as Acts of Parliament, such as the Punjab Reorganization Act, 1966. The best that can be done is to enumerate the states and the union territories existing at the end of May 1975, as a result of such amendments and enactments.

- (i) 22 States : Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh and West Bengal.

3. In the original Constitution, the states which formed the Union of India were classified into three categories and enumerated in Parts A, B and C of the First Schedule. At the date of the Constitution (Seventh Amendment) Act, 1956, the number of these states was 10, 8 and 9 respectively, making a total of 27. Besides these 27 states of different categories, there was another category, viz., a territory specified in Part D of the First Schedule.

The Amendment Act of 1956 reduced these four categories into two only :

- (i) The three categories of states were reduced to only one class of states and their number, after the reorganization, became 14. The categories of Part B and C States were abolished and all the states remaining after the reorganization gained the status of states in Part A. Hence, no classification of the states was necessary any longer.

- (ii) The category of territory in Part D was replaced by 'Union Territories', and this class now included not only the Andaman and Nicobar Islands which were previously included in Part D, but also some of the erstwhile Part C States.

- (ii) 9 Union Territories : Andaman and Nicobar Islands, Arunachal Pradesh, Chandigarh, Dadra and Nagar Haveli, Delhi, Goa, Daman and Diu, Lakshadweep, Mizoram and Pondicherry.

**Citizenship** : The Constitution did not lay down the permanent law relating to Indian nationality or citizenship but left that matter entirely to legislation by Parliament. But until such legislation, and subject thereto, the Constitution described tentatively the classes of persons who would be deemed to be citizens of India, at the date of commencement of Constitution.

Parliament has since enacted the Citizenship Act, 1955, providing an elaborate law dealing with the acquisition and termination of citizenship on or after January 26, 1950. According to this Act, a person can become a citizen of India in one of the five modes :

- (i) Citizenship by birth—Every person born in India on or after January 26, 1950 shall be a citizen of India by birth.
- (ii) Citizenship by descent—Broadly speaking, a person born outside India on or after January 26, 1950 shall be a citizen of India by descent, if his father is a citizen of India at the time of the person's birth.
- (iii) Citizenship by registration—Several classes of persons (who have not otherwise acquired Indian citizenship) can acquire Indian citizenship by registering themselves to that effect before the prescribed authority, *e.g.*, persons of Indian origin who are ordinarily resident in India and have been so resident for six months immediately before making the application for registration; women who are married to citizens of India.
- (iv) Citizenship by naturalization—A foreigner can acquire Indian citizenship, on application for naturalization to the Government of India.
- (v) Citizenship by incorporation of territory—If any new territory becomes a part of India, the Government of India shall specify the persons who shall be citizens of India.

#### **Fundamental Rights and the Directive Principles of State Policy :**

One distinctive feature of the Indian Constitution is that it incorporates not only a Bill of Rights containing justiciable fundamental rights of individual (Part III) on the model of the First Ten Amendments to the American Constitution but also a part (Part IV) containing Directive Principles, which confer no justiciable rights upon the individual but are nevertheless to be regarded as 'fundamental in the governance

of the country', being in the nature of 'principles of social policy' as contained in the Constitution of Eire. It was considered by the makers of our Constitution that though they could not, owing to their very nature, be made legally enforceable, it was well worth to incorporate in the Constitution some basic non-justiciable rights which would serve as moral restraints upon future governments and thus prevent the policy from being torn away from the ideas which inspired the makers of the organic law.

**Fundamental Rights :** Fundamental Rights are dealt with in Part III of the Constitution.

The Constitution of India, in short, effects a compromise between parliamentary sovereignty and judicial supremacy. The fundamental rights, of course, constitute limitations upon the powers of the legislatures in India as in the United States and in case any of these limitations are transgressed, the Supreme Court and the High Courts are competent to declare the offending law as unconstitutional and void. These superior courts are endowed with the power to issue the writs of *habeas corpus*, *mandamus*, prohibition and *certiorari* to nullify an action of the State which violates any fundamental right. Any person whose fundamental right is infringed has the guaranteed right to approach these superior courts for obtaining any of these constitutional writs for enforcing his fundamental right against the State which includes not only the governments and the legislatures of the union and the states, but also local and other authorities who possess subordinate law-making or administrative powers.

But the powers of the judiciary *vis-a-vis* the legislature are weaker than in the United States in two respects :

Firstly, while in the USA, the declarations in the Bill of Rights are absolute and the power of the State to impose restrictions upon the fundamental rights of the individuals in the collective interests had to be evolved by the judiciary, in India, this power has been expressly conferred upon the legislatures by the Constitution itself, of course, leaving a power to the courts to interfere where the restriction imposed is unreasonable or arbitrary.

Secondly, the major portion of the Constitution, including the Fundamental Rights, is liable to be amended by the Union Parliament in the ordinary process of legislation by a special majority, if, in any case, the judicial verdict is considered to be unduly impeding national development and progress. Some of the amendments of the Constitution so far made have thus been effected with a view to superseding judicial pronouncements which had invalidated social or economic legislation on the ground of contravention of fundamental rights. In India,

thus, the fundamental rights have no claim to permanence as in the USA, and the judiciary can act as their guardian only so long as they are not amended<sup>4</sup> by the Parliament of India by the required majority of votes.

The provisions included in Part III of the Constitution of India are more elaborate than those of any other existing written constitution relating to fundamental rights, and cover a wide range of topics.

The Constitution itself classifies the Fundamental Rights under seven groups as follows :

**(A) Right to Equality :** This group includes ; (i) Equality before law ; (ii) Prohibition of discrimination by the State on grounds of religion, race, caste, sex or place of birth; (iii) Equality of opportunity in matters of public employment ; (iv) Abolition of untouchability ; and (v) Abolition of titles.

**(B) Rights to Particular Freedoms :** This group contains a large number of rights : (i) Freedom of (a) speech and expression, (b) assembly, (c) association, (d) movement, (e) residence and settlement, (f) property, and (g) profession ; (ii) Protection in respect of conviction for offences under any of the prohibited conditions ; (iii) protection of life and personal liberty ; and (iv) Protection against arrest and detention in certain cases.

**(C) Right Against Exploitation :** This includes : (i) Prohibition of traffic in human beings and forced labour, and (ii) Prohibition of employment of children in factories and hazardous employments.

**(D) Right to Freedom of Religion :** This group includes : (i) Freedom of conscience and freedom of profession, practice and propagation of religion ; (ii) Freedom to manage religious affairs; (iii) Immunity from payment of taxes for the promotion of any particular religion; (iv) Immunity from attendance at religious instruction or worship in educational institutions.

**(E) Cultural and Educational Rights :** These include (i) Protection of the language, script or culture of the minorities; and (ii) Right of minorities to establish and administer educational institutions.

**(F) Right to Property :** This means that (i) the Executive cannot deprive a person of his property except under the authority of a law ; and (ii) that no law can provide for the compulsory acquisition or requisition of private property unless the acquisition or requisition is made for a public purpose and payment of amount is provided for.

**(G) Right to Constitutional Remedies :** This portion provides for the enforcement of the above-mentioned fundamental rights through

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4. *Kesavananda v. State of Kerala*, AIR 1973 S.C. 1461 (FR).

the judicial writs of *habeas corpus*, *mandamus* and the like.

**Particular Freedoms :** Of the above, the seven freedoms guaranteed to each citizen deserve special mention, namely, the freedoms of expression, assembly, association, movement, residence, property and profession or business. Absolute individual rights cannot be guaranteed by any modern State. Some restrictions must be acknowledged to safeguard the collective interests. But, as stated earlier, while the grounds upon which such restrictions may be imposed by the State on the individual rights are not defined in the Constitution of the USA and had, therefore, to be evolved by the judiciary. In our Constitution, these limitations are enumerated in Article 19 itself, which enumerates the seven freedoms. Read with the limitations, the ambit of the seven freedoms is as follows :

- (i) Every citizen has the freedom of speech and expression. But this freedom is subject to reasonable restrictions imposed by the State relating to (a) defamation, (b) contempt of court, (c) decency or morality; (d) security of the State (e) friendly relations with foreign States, (f) incitement to an offence, (g) public order, and (h) sovereignty and integrity of India. So freedom of speech and expression will not confer upon an individual a licence to commit illegal or immoral acts or to incite others to overthrow the established government by force or unlawful means.
- (ii) Similarly, the freedom of assembly is subject to the qualification that the assembly must be peaceable and without arms and subject to such reasonable restrictions as may be imposed by the State in the interests of the sovereignty and integrity of India or public order. In other words, the right of meeting or assembly shall not be liable to be abused so as to create public disorder or a breach of the peace.
- (iii) Again, all citizens have the right to form associations or unions, but subject to reasonable restrictions imposed by the State in the interests of the sovereignty and integrity of India or public order or morality. Thus, this freedom will not entitle any group of individuals to enter into a criminal conspiracy or to form any association dangerous to the public peace or to make illegal strikes or to commit a public disorder.
- (iv) Similarly, though every citizen shall have the right to move freely throughout the territory of India or to reside and settle in any part of the country, this right shall be subject to restrictions imposed by the State in the interests of

the general public or for the protection of any scheduled tribe.

- (v) The Constitution recognizes the right of private property, *i.e.*, the right of every individual to acquire, hold and dispose of property as his own. But this right too is subject to reasonable restrictions imposed by the State in the interests of the general public or for the protection of any scheduled tribe.

**Safeguards Relating to Personal Liberty and Punishment :** The Constitution also contains a number of safeguards to protect a citizen against arbitrary arrest, trial and detention. Briefly speaking, the Constitution prohibits :

- (i) Retroactive criminal legislation, commonly known as *ex-post facto* legislation.
  - (ii) Double jeopardy or punishment for the same offence more than once.
  - (iii) Compulsion to give self-incriminating evidence.
- It further provides that :

- (i) No person can be deprived of his liberty except according to law.
- (ii) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest.
- (iii) No such person shall be denied the right to consult, and to be defended by, a legal practitioner of his choice.
- (iv) Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of magistrate.

The Constitution of course, authorizes the legislature to enact a law of preventive detention for certain specified reasons, such as defence, security of the State and the like. In exercise of this power, Parliament first enacted a temporary measure, the Preventive Detention Act, 1950, which has later been replaced by a permanent enactment—the Maintenance of Internal Security Act, 1971. Under a law of this nature, an individual may be detained without trial and the constitutional safeguards mentioned above will not be available to such a detenu. But there are certain other safeguards laid down in the Constitution with a view to prevent abuse of a law of preventive detention :

- (i) The government is entitled to detain such person in custody only for three months. If it seeks to detain the arrested



person for more than 3 months, it must obtain a report from an Advisory Board, who will examine the papers submitted by the government and by the accused, to the effect that the detention is justified. The Advisory Board will be composed of persons qualified to be appointed as High Court judges.

- (ii) The person so detained shall, as soon as may be, be informed of the grounds of his detention but not facts which the detaining authority considers to be against the public interest to disclose.
- (iii) The person detained must have the earliest opportunity of making a representation against the order of detention.

A law which violates any of the conditions imposed by Art. 22, as stated above, is liable to be declared invalid and an order of detention which violates any of these conditions will, similarly, be invalidated by the court, and the detenu shall forthwith be set free.<sup>5</sup>

**Freedom of Religion :** India, under the Constitution, is a 'secular state' i.e., a State which observes an attitude of neutrality and impartiality towards all religions, which is secured by the Constitution by several provisions:

Firstly, there shall be no "State religion" in India. The State will neither establish a religion of its own nor confer any special patronage upon any particular religion. It follows from this that :

- (i) the State will not compel any citizen to pay any taxes for the promotion or maintenance of any particular religion or religious institution;
- (ii) no religious instruction shall be provided in any educational institution wholly provided by State funds;
- (iii) even though religious instruction be imparted in educational institutions recognized by or receiving aid from the State, no person attending such institution shall be compelled to receive that religious instruction without the consent of himself or of his guardian (in case the pupil be a minor). In short, while religious instruction is totally banned in State-owned educational institutions, in other denominational institutions it is not totally prohibited but it must not be imposed upon people of other religions without their consent.

Secondly, every person is guaranteed the freedom of conscience and

5. *Durga Pada Ghosh v. State of West Bengal*, AIR 1972, SC 2420; *Panna v. State of West Bengal*, AIR 1975 SC 863; *Sekawat v. State of West Bengal*, AIR. 1975 SC. 64.

the freedom to profess, practise and propagate his own religion, subject only

- (i) to restrictions imposed by the State in the interests of public order, morality and health (so that the freedom of religion may not be abused to commit crimes or anti-social acts) ;
- (ii) to regulations or restrictions made by the State relating to any economic, financial, political or other secular activity which may be associated with religious practice, but do not really appertain to the freedom of conscience ; and
- (iii) to measures for social reform and for throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Subject to the above limitations, a person in India shall have the right not only to entertain any religious belief but also to practise the observances dictated by such belief, and to preach his views to others.

Thirdly, not only is an individual free to profess and practise his religion, there is also the right guaranteed to every religious group or denomination :

- (i) to establish and maintain institutions for religious and charitable purposes ;
- (ii) to manage its own affairs in matters of religion ;
- (iii) to own and acquire moveable and immovable property ; and
- (iv) to administer such property in accordance with law.

**Safeguards for Minorities :** An account of the fundamental rights in India would be incomplete without a reference to the safeguards included in the Constitution for the protection of the minorities, whether cultural, religious or linguistic, as well as for the economically and socially backward classes of people. Though the Constitution has done away with communal representation or reservation of seats in the legislative bodies on the basis of religion, it has adopted numerous measures to prevent any oppression by the numerical majority as well as to ensure a uniform development of all sections of the community. Thus the linguistic and cultural rights guaranteed are :

- (i) Any section of the citizens of India having a distinct language, script or culture of its own shall have the fundamental right to conserve the same. This means that if there is a cultural minority which wants to preserve its own language and culture, the State would not by law impose upon it any other culture belonging to the majority of the locality. This provision, thus, gives protection not only to religious minorities but also to linguistic minorities.
- (ii) The Constitution directs every state to provide adequate

facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups and empowers the President to issue proper directions to any state in his behalf.

- (iii) No citizen shall be denied admission into any educational institution maintained by the State or receiving State aid, on ground only of religion, race, caste, language or any of them. This means that there shall be no discrimination against any citizen on the ground of religion, race, caste or language, in the matter of admission into educational institutions maintained or aided by the State.
- (iv) All minorities, whether based on religion or language, shall have the fundamental right to establish and administer educational institutions of their choice.
- (v) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.
- (vi) Every minority community has the right not only to establish its own educational institutions, but also to impart instruction to the children of its own community in its own language.
- (vii) No person can be discriminated against in the matter of public employment, on the ground of race, religion or caste.

**Special Provisions for Backward Classes, Scheduled Castes and Tribes :** The Constitution makes various special provisions for the protection of the interests of the scheduled castes and tribes generally identifiable with the Gandhian term *Harijan*, who form a specific category of socially depressed people.

- (i) Measures for the advancement of the scheduled castes and tribes are exempted from the general ban against discrimination on the grounds of race, caste and the like, contained in Art. 15. It means that if special provisions are made by the State in favour of the members of these castes and tribes, other citizens shall not be entitled to impeach the validity of such provisions on the ground that such provisions are discriminatory against them.
- (ii) While the rights of free movement and residence throughout the territory of India and of acquisition and disposition of property are guaranteed to every citizen, in the case of members of the scheduled castes and tribes, special restrictions may be imposed by the State if required for the protection of their interests. For instance, to prevent

the alienation or fragmentation of their property, the State may provide that they shall not be entitled to alienate their property except with the concurrence of a specified administrative authority or except under specified conditions.

- (iii) Apart from the foregoing fundamental rights, for a temporary period of thirty years<sup>6</sup> from the commencement of the Constitution, seats shall be reserved in the House of the People for (a) the scheduled castes and (b) the scheduled tribes except the scheduled tribes in the tribal areas of Assam, Nagaland, Meghalaya, Arunachal Pradesh and Mizoram.

Seats shall also be reserved for the scheduled castes and the scheduled tribes (excepting scheduled tribes in the tribal areas of Assam, Meghalaya and Nagaland) in the Legislative Assembly of every state.

- (iv) The claims of the members of the scheduled castes and the scheduled tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the union or of a state.

A most remarkable feature of the Fundamental Rights in the Constitution of India is that not only are the substantive rights guaranteed against State action, the very right to approach the highest tribunal of the land to enforce such rights is also guaranteed by the Constitution (Art. 32). One of the traditional criticisms against constitutional guarantee of fundamental rights, levelled by British publicists since Dicey, is that abstract declarations of fundamental rights in a constitution are useless, unless there is a means to make them effective. The Indian Constitution has obviated this criticism by making the procedural or remedial right to enforce the fundamental rights itself a guaranteed right which cannot be taken away by ordinary legislation, short of an amendment of the Constitution. In the words of the Supreme Court, this remedial right has constituted that court 'the guarantor and protector of the fundamental rights', as a result of which the Supreme Court cannot reject a petition under Art. 32 for enforcement of a fundamental right on technical grounds nor would it tolerate indirect devices of the legislature to make this remedial right illusory.

**Directive Principles :** The Directive Principles of State Policy are contained in Part IV of the Constitution (Arts. 36-51).

These Directives lay down the lines on which the State of India

<sup>6</sup> Arts. 330-334 as amended by the Constitution (23rd Amendment) Act, 1969.

should work under this Constitution, to attain the goal of social and economic justice, in particular, which is enshrined in the Preamble to the Constitution. The Directives are addressed not only to the legislative and executive authorities of the union and the states but also to all local or other authorities within the territory of India.

Their contents may be divided under the following groups :

- (i) Certain ideals, particularly economic, which the framers of the Constitution desired that the State should strive for.
- (ii) Certain directions to the legislature and the executive as to the manner in which they should exercise their legislative and executive powers.
- (iii) Certain rights of the citizens which shall not be enforceable by the courts like the 'Fundamental Rights', but which the State shall nevertheless aim at securing, by so shaping its legislative and administrative policy.

As classified under the above heads, the Directives are—

(A) Directives in the nature of ideals of the State :

- (i) The State shall strive to promote the welfare of the people by securing a social order permeated by social, economic and political justice.
- (ii) The State shall endeavour to secure just and humane conditions of work, a living wage, a decent standard of living and social and cultural opportunities for all workers.
- (iii) The State shall endeavour to raise the level of nutrition and standard of living and to improve the health of the people.
- (iv) The State shall endeavour to promote international peace and amity.
- (v) The State shall direct its policy towards securing equitable distribution of the material resources of the community and prevention of concentration of wealth and means of production.

(B) Directives shaping the policy of the State :

- (i) To establish economic democracy and justice by securing certain economic rights (to be enumerated under the next head).
- (ii) To secure a uniform civil code for the citizens.
- (iii) To provide free and compulsory primary education.
- (iv) To prohibit consumption of liquor and intoxicating drugs except for medicinal purposes.
- (v) To develop cottage industries.
- (vi) To organize agriculture and animal husbandry on modern lines.

- (vii) To prevent slaughter of useful cattle, *i.e.*, cows, calves, and other milch and draught cattle.
- (viii) To organize village *panchayats* as units of self-government.
- (ix) To protect and maintain places of historic or artistic interest.
- (x) To separate the judiciary from the executive.
- (C) Directives in the nature of non-justiciable rights of every citizen:
  - (i) Right to adequate means of livelihood.
  - (ii) Right of both sexes to equal pay for equal work.
  - (iii) Right against economic exploitation.
  - (iv) Right to work.
  - (v) Right to education.
  - (vi) Right to public assistance in case of unemployment, old age, sickness and other cases of undeserved want.

**Federal System :** Though there is a strong unitary bias and the exceptions from the traditional federal scheme are many, the Constitution introduces a federal system as the basic structure of government of the country. The union is composed of states and both the union and the states derive their authority from the Constitution which divides all powers, legislative, executive and financial between them. (The judicial powers, however, are not divided and there is a common judiciary for the union and the states). The result is that the states are not delegates of the union and that, though there are agencies and devices for union control over the states in many matters, both the union and the states are equally subject to the limitations imposed by the Constitution.

Thus, neither the union legislature (Parliament) nor a state legislature can be said to be 'sovereign' in the legalistic sense, each being limited by the provisions of the Constitution effecting the distribution of legislative powers as between them, apart from the Fundamental Rights and other specific provisions restraining their powers as regards certain matters, *e.g.*, Art. 276(2) (limiting the power of a state legislature to impose a tax on professions); Art. 303 (limiting the powers of both Parliament and state legislature with regard to legislation relating to trade and commerce). If any of these constitutional limitations is violated, the law of either legislature is liable to be declared invalid by the courts.

**Distribution of Powers :** As regards the subjects of legislation, the Constitution adopts from the Government of India Act, 1935 a three-fold distribution of legislative powers between the union and the states.

List I or the Union List includes subjects over which the union shall have exclusive power of legislation, including 97 items or subjects. These include defence, foreign affairs, banking, currency and coinage,

union duties and taxes.

List II or the State List comprises 65 items or entries over which the state legislature shall have exclusive power of legislation, such as public order and police, local government, public health and sanitation, agriculture, forests and fisheries, education, state taxes and duties.

List III gives concurrent powers to the union and the state legislatures over 47 items, such as criminal law and procedure, civil procedure, marriage, contracts, ports, trusts, welfare of labour, insurance, economic and social planning.

In the concurrent sphere, in case of repugnancy between a union and a state law relating to the same subject, the former prevails. If however, the state law was reserved for the assent of the President and has received such assent, the state law may prevail notwithstanding such repugnancy, but it would still be competent for Parliament to override such state law by subsequent legislation.

The vesting of residual power under the Constitution follows the precedent of Canada, for, it is given to the union instead of the states.

**Expansion of the Legislative Powers of the Union :** While the foregoing may be said to be an account of the normal distribution of the legislative powers, there are certain exceptional circumstances under which the above system of distribution is either suspended or the powers of the union Parliament are extended over state subjects. These exceptional or extraordinary circumstances are :

- (i) Parliament shall have the power to make laws with respect to any matter included in the State List, for a temporary period, if the Council of States (The upper chamber of Parliament which reflects the federal principle to some extent) declares by a resolution of two-thirds of its members present and voting, that it is necessary in the national interest that Parliament should have power to legislate over such matter. Each such resolution will give a lease of one year to the law in question.
- (ii) While a Proclamation of Emergency made by the President is in operation, Parliament shall have similar power to legislate with respect to state subjects.
- (iii) When a Proclamation of Emergency is made by the President, the President may declare that the powers of the legislature of the state shall be exercisable by or under the authority of Parliament.
- (iv) If the legislatures of two or more states resolve that it shall be lawful for Parliament to make laws with respect to any matters included in the State List relating to those states, Parliament shall have such powers as regards such states.

It shall also be open to any other state to adopt such union legislation in relation to itself by a resolution passed in that behalf in the legislature of the state. In short, this is an extension of the jurisdiction of the union Parliament by consent of the state legislatures.

- (v) Parliament shall have the power to legislate with respect to any subject for the purpose of implementing treaties or international agreements and conventions. In other words, the normal distribution of powers will not stand in the way of Parliament enacting legislation for carrying out its international obligations, even though such legislation may be related to a state subject.

The distribution of executive powers between the union and the states, in general, follows the scheme of distribution of the legislative powers, which means that the executive power of a state shall extend only to its own territory and with respect to those subjects over which it has legislative competence. Thus, the union shall have exclusive executive power over (i) the matters with respect to which Parliament has exclusive power to make laws *i.e.*, matters in the Union List and (ii) the exercise of its powers conferred by any treaty or agreement. On the other hand, a state shall have exclusive power over matters included in the State List.

It is in the concurrent sphere that some novelty has been introduced. As regards matters included in the Concurrent Legislative List, the executive function shall ordinarily remain with the states, but subject to the provisions of the Constitution or of any law of Parliament conferring such function expressly upon the union.

**Power of Union to Give Directions to States Relating to Executive Power :** The Union has the power to give directions to the state governments as regards the exercise of their executive power, in certain matters :

(A) In normal times, the power may be exercised, *inter alia*, to ensure due compliance with union laws and existing laws which apply in that state, to ensure that the exercise of the executive power of the state does not interfere with the exercise of the executive power of the union.

(B) (i) During a Proclamation of Emergency, the power of the union to give direction extends to the giving of directions as to the manner in which the executive power of the state is to be exercised, relating to any matter, so as to bring the state government under the complete control of the union, without suspending it.

(ii) Upon a Proclamation of failure of constitutional machinery in a state, the President shall be entitled to assume to



himself all or any of the executive powers of the state.

**Structure of Government :** The system of government adopted in the Constitution is of the parliamentary or Cabinet type, with minor variations. As stated earlier, since the structure is federal, it has two branches, one for the union and another for the state, except for the judiciary, which is not bifurcated.

The executive and legislature of the union and the states, may be briefly described as follows :

**Executive of the Union :** At the head of the executive of the union is the President, elected for a term of five years, by an electoral college. There is a Council of Ministers to aid and advise the President in the exercise of his functions. The President is liable to removal for violation of the Constitution, by the process of impeachment.

There is a Vice-President of India who ordinarily presides over the Upper Chamber of the union Parliament, but acts as the President during a temporary vacancy in the office of the President.

**Executive of the States :** The executive head of a state is the Governor, appointed by the President for a term of five years and holding office at his pleasure. Like the President, he also acts with the aid and advice of a Council of Ministers, except in regard to a few specified matters. Since the Constitution vests all executive powers of the union and the states in the heads of state, i.e., the President (in the case of the union) and the Governor (in the case of a state), and there is no express provision either to oblige the President or a Governor to take the advice of his Council of Ministers on all matters nor to make their advice binding on him, a question had been raised almost since the inception of the Constitution as to whether the President or the Governor was a mere constitutional head like the British Crown or was a real executive as under the Presidential system of government of the American type. Whatever might be the view of political parties or bodies, it is now firmly established by several decisions of the Supreme Court<sup>7</sup> that all the executive functions vested in the President or a Governor are to be exercised with the aid and advice of the respective Council of Ministers excepting those functions which the Constitution itself empowers a Governor to exercise 'in his discretion'. The position under the Constitution of India is thus substantially the same as in the United Kingdom but for the fact that what is established by history, conventions and usage in the UK is deduced in India by the court from the terms of the written Constitution, from the technical expression 'aid and advice' in Arts. 74(1) and 163

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<sup>7</sup> *Ram Jawaya v. State of Punjab*, (1955) 2 SVR 225; *Sanjeevi v. State of Madras* AIR. 1970 SC 1102 (1106); *Rao v. Indira*, AIR 1971 SC 1002 (1005); *Samsher v. State of Punjab*, AIR 1974 SC 2192 (2209).

(1) which expression had been borrowed from Dominion Constitutions which had adopted the British Cabinet system as evolved by convention.

The functions which are required by the Constitution to be exercised by a Governor 'in his discretion' are to be found in Arts. 239(2) and Para. 9(2) of the Sixth Schedule (in the case of Assam). The 'special responsibility' conferred on a Governor by the provisions in Arts. 371, 371A(b) and 371C to safeguard certain regional interests in some states also means the same thing, in effect.

The Council of Ministers, both of the union and of the states, are collectively responsible to the Lower House of the legislature.

**Legislature of the Union :** The legislature of the union is called Parliament, consisting of the President and two Houses, known as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha). The House of the People is the popular body, chosen by universal adult franchise by the entire population of the union (excepting a few seats), while the Council of States consists of nominated members and representatives of the states who are elected by the elected members of the Legislative Assembly of each state.

**The House of the People :** The House of the People is composed of 545<sup>b</sup> members. Of the 545 elected members, 525 will be from the states and 20 from the union territories.

The representatives of the states are directly elected by the people of the states on the basis of adult suffrage. Every citizen who is not less than 21 years of age and is not otherwise disqualified, *e.g.*, by reason of non-residence, unsoundness of mind, crime or corrupt or illegal practice, is entitled to vote at such election.

The representatives of Arunachal Pradesh are nominated by the President, while the representatives of the other union territories are chosen by direct election.

Besides the above, two members may be nominated from the Anglo-Indian community by the President to the House of the People (up to 1980), if he is of opinion that the Anglo-Indian community has not been adequately represented in the House of the People.

**The Council of States :** The Council of States is composed of not more than 250 members, of whom (a) 12 are nominated by the President ; and (b) the remainder *i.e.* 238 are representatives of the states and the territories, elected by the method of indirect election :

- (i) The 12 nominated members are chosen by the President from amongst persons having 'special knowledge or practical experience in literature, science, art, and social service<sup>b</sup>. The Constitution thus adopts the principle of nomination for giving distinguished persons a place in the

Upper Chamber.

- (ii) The representatives of the states are elected by the elected members of the Legislative Assembly of the states in accordance with the system of proportional representation by means of a single transferable vote; while the representatives of the union territories are elected by the members of an electoral college excepting Arunachal Pradesh for which a member is nominated by the President.

The Council of States is not subject to dissolution. It is a permanent body, but one-third of its members retire on the expiration of every second year, in accordance with provisions made by Parliament in this behalf. It follows that there will be an election of one-third of the membership of the Council of States at the beginning of every third year.

**Duration and Sessions of the Two Houses:** The normal life of the House of the People is five years, but it may be dissolved earlier by the President.

On the other hand, the President has also the power to extend the normal duration of Parliament (*i.e.*, the period of five years) in case of a Proclamation of Emergency, for a period of one year at a time and not extending beyond 6 months after the Proclamation ceases to operate.

The President has the power to :

- (i) summon either or both Houses of Parliament to meet at such time and place as he thinks fit, subject to the condition that not more than six months shall intervene between the last sitting of one session and the first sitting of another;
- (ii) prorogue the Houses; and
- (iii) dissolve the House of the People.

These powers will, of course, be exercised by the President on the advice of the Council of Ministers or, more accurately, of the Prime Minister, as in England.

**Control of Parliament over Financial System :** The financial system consists of two branches—revenue and expenditure.

As regards revenues, it is laid down by the Constitution that no tax shall be levied or collected except by authority of law. The result is that the executive cannot impose any tax without legislative sanction. If any tax is imposed without legislative authority, the aggrieved person can obtain relief from the courts of law.

As regards expenditure, the pivot of parliamentary control is the Consolidated Fund of India. This is the reservoir into which all the

revenues are received by the Government of India as well as all loans raised by it are paid and the Constitution provides that no sum shall be appropriated out of the Consolidated Fund of India except in accordance with law. Whether the expenditure is charged on the Consolidated Fund of India or it is an amount voted by the House of the People, no money can be issued out of the Consolidated Fund of India unless the expenditure is authorized by an Appropriation Act. It follows, accordingly, that the executive cannot spend the public revenue without parliamentary sanction.

**Comptroller and Auditor-General :** The third factor to be considered is the system of parliamentary control to ensure that the expenditure sanctioned by Parliament has actually been spent in terms of the law of Parliament, that is, the Appropriation Act or Acts. The office of the Comptroller and Auditor-General is the fundamental agency which helps Parliament in this work. The Comptroller and Auditor-General is the guardian of the public purse and it is his function to see that not a farthing of it is spent without the authority of Parliament. He is independent of control by the government of the day inasmuch as he may be removed only on an address from both Houses of Parliament on the ground of proved misbehaviour or incapacity. It is the business of the Comptroller and Auditor-General to audit the accounts of the union and to satisfy himself that the expenditure incurred has been sanctioned by Parliament and that it has taken place in conformity with the sanction of Parliament. The Comptroller and Auditor-General then submits his report of audit relating to the accounts of the union to the President who has to lay it before each House of Parliament.

**Legislature of a State :** The legislature of a state consists of the Governor and a popular house elected by universal adult franchise. In some of the states there is a second chamber called the Legislative Council, consisting of nominated and indirectly elected members.

It is left to the resolution of a special majority of the Legislative Assembly of a state, followed by an Act of Parliament, either to abolish the second chamber where it exists under the Constitution, or to create a second chamber where it is not provided for by the Constitution. There is a second chamber only in six of the twenty-two states of the union.

The Legislative Assembly of each state shall be composed of members chosen by direct election on the basis of adult suffrage from territorial constituencies. The number of members of the Assembly is not to be more than 500 nor less than 60. There shall be a proportionately equal representation according to population in respect of each territorial constituency within a state.

The size of the Legislative Council varies with that of the Legislative Assembly, the membership of the Council being not more than one-third of the membership of the Legislative Assembly but not less than 40. This provision has been adopted so that the Upper House (the Council) may not get a predominance in the legislature.

The system of composition of the Legislative Council as laid down in the Constitution is not final. The final power providing the composition of this chamber of the state legislature is given to the union Parliament. But until Parliament legislates on the matter, the composition will be as given in the Constitution. It will be a partly nominated and partly elected body, the election being an indirect one and in accordance with the principle of proportional representation by a single transferable vote.

Broadly speaking, five-sixth of the total number of members of the Council are indirectly elected and one-sixth are nominated by the Governor. Thus—

- (i) one-third of the total number of members of the Council are elected electorates consisting of members of local bodies such as municipalities and district boards;
- (ii) one-twelfth are elected by electorates consisting of graduates of three years' standing residing in the state;
- (iii) one-twelfth are elected by electorates consisting of persons engaged for at least three years in teaching in educational institutions within the state, not lower in standard than secondary schools;
- (iv) one-third are elected by members of the Legislative Assembly from amongst persons who are not members of the Assembly ;
- (v) The remainder are nominated by the Governor from persons having knowledge or practical experience in respect of such matters as literature, science, art, co-operative movement and social services;

The duration of the Legislative Assembly is five years (from the date appointed for its first meeting), but—

- (i) it may be dissolved sooner than five years, by the Governor, and
- (ii) the term of five years may be extended in case of Proclamation of Emergency by the President. In such a case the union Parliament shall have the power to extend the life of the Legislative Assembly up to a period not exceeding six months after the Proclamation ceases to have effect, subject to the condition that such extension shall not exceed one year at a time.

The Legislative Council shall not be subject to dissolution. But

one-third of its members shall retire on the expiry of every second year. It will thus be a permanent body like the Union Council of States.

Though the Indian states have lost their separate entity since the Constitution (Seventh Amendment) Act, 1956, which abolished Part B states as a class and included all states—which had been enumerated in the original Constitution in two Parts (A and B)—in one list, the state of Jammu and Kashmir still retains a special status under the Constitution owing to historical reasons and, accordingly, deserves a special mention.

**Special Status of the State of Jammu and Kashmir :** The state of Jammu and Kashmir was one of the former princely states which at the time of the partition in 1947 acceded to the union of India. The Instrument of Accession (which was the same as in the case of other states according to India) conferred on the union the power to legislate with respect to the three subjects of defence, external affairs and communications. By the time the Constitution of India was adopted in November, 1949, practically all such other former princely states which acceded to India had decided to adopt the whole of the Indian Constitution. The state of Jammu and Kashmir was, no doubt, an integral part of the union at the commencement of the Constitution but all the provisions of the Constitution could not be adopted by that state due to certain special circumstances which existed at that time. Part of the territory of the state was occupied by aliens as a result of the invasion of the territory in 1947 supported by Pakistan and the matter had been taken to the United Nations. It was then considered appropriate that the people of the state should through their own Constituent Assembly determine the internal Constitution of the state and the extent of central jurisdiction. As this work of constitution-making could not be completed before the adoption of the Constitution of India, a temporary and transitional provision was made in Article 370 to spell out the relationship between the centre and the state. The Constituent Assembly for the state, which completed its work on November 17, 1956, adopted a constitution which affirmed that the state was an integral part of the Union of India and made other provisions with regard to internal administration, practically on the same lines as in the Constitution of India. It recommended no change in Article 370 of the Constitution of India which thereafter became as permanent as any other provision of the Constitution of India.

Article 370, apart from indicating the constitutional relationship between the centre and the state, as it existed at that time, in effect provides for two matters. Firstly, it provides for the issue of a Presidential Order in consultation with the state government, to specify

matters in the legislative lists which correspond to the three matters specified in the Instrument of Accession, namely, defence, foreign affairs and communications. This was accomplished in the first Presidential Order issued on January 26, 1950. The second part of Article 370 provides a procedure for the extension of the other provisions of the Constitution to the state by means of Presidential Order, and the specific requirement is that such order can be issued only with the concurrence of the state government. The Constituent Assembly for that state also had a say on this matter, so long as it functioned.

In pursuance of this provision and with the concurrence of the state government, a number of provisions of the Constitution of India were extended to the state from time to time. As early as 1952, under what is known as the Delhi Agreement, the state government agreed to the application of a number of provisions relating to important matters like citizenship, Supreme Court's jurisdiction, emergency powers, etc. with some modifications. All these were included in an Order of the President issued on May 14, 1954. Subsequently, many more provisions were extended to the state with its concurrence. The residuary powers in Article 248 and Entry 97 of the List have not yet been applied in full.

**Judiciary :** Notwithstanding the adoption of a federal system, the Constitution of India has not provided for a double system of courts as in the United States. Under our Constitution there is a single integrated system of courts for the union as well as the states which will administer both union and state laws, and at the head of the entire system stands the Supreme Court of India. Below the Supreme Court are the High Courts of the different states and under a High Court there is a hierarchy of other courts which are referred to in the Constitution as 'subordinate courts', *i.e.*, courts subordinate to and under the control of the High Court.

**Supreme Court :** The Supreme Court stands at the head of the judicial system of India. Parliament has the power to make laws regulating the constitution, organization, jurisdiction and powers of Supreme Court. Subject to such legislation, the Supreme Court consists of the Chief Justice of India and not more than thirteen other judges.

The Supreme Court of India has more powers than the highest tribunal of any other country in the world; for, it is the 'guardian of the Constitution' in the sense that expression is used in a federal country, to maintain the distribution of powers between the union and the units, and in interpreting and enforcing the provisions of the written Constitution upon all the constituent bodies of the state. It is also the highest court of appeal in the country, to hear appeals from all causes,

subject of course, to certain limitations. It has, further, an advisory jurisdiction.

The original jurisdiction of the Supreme Court is purely of a federal character and is confined to disputes between the Government of India and any of the states of the union, the governments of India and any state on one side and any other state or states on the other side; or between two or more states *inter se*. The original jurisdiction of the Supreme Court will be exclusive, which means that no other court in India shall have the power to entertain any such suit.

The Supreme Court is the final court of appeal from the courts and tribunals in India, the appellate jurisdiction of the Privy Council having been abolished, on the eve of the Constitution, by the Abolition of the Privy Council Jurisdiction Act, 1949.

The appellate jurisdiction of the Supreme Court may be divided under two heads—(i) as of right and (ii) by special leave.

Under the former head, appeals lie to the Supreme Court from decisions of the High Courts provided certain conditions are fulfilled. Such appeals may relate to :

- (i) Cases involving interpretation of the Constitution—civil, criminal or otherwise.
- (ii) Civil cases, irrespective of any constitutional question.
- (iii) Criminal cases, irrespective of any constitutional question.

While the Constitution provides for regular appeals to the Supreme Court from decisions of the High Courts as above, there may still remain some cases where justice might require the interference of the Supreme Court with decisions not only of the High Courts but also of any other court or tribunal within the territory of India. The Constitution, accordingly, vests in the Supreme Court a plenary jurisdiction in the matter of entertaining and hearing appeals, by granting special leave, against any kind of judgement or order made by any court or tribunal (except a military tribunal) in any proceeding and the exercise of the power is left entirely to the discretion of the Supreme Court unfettered by any restrictions, though, of course, the Supreme Court has judicially laid down the broad principles according to which it will exercise this extraordinary jurisdiction.

Besides the above, the Supreme Court has an advisory jurisdiction, to give its opinion, on any question of law or fact of public importance as may be referred to its consideration by the President.

**High Courts :** There is a High Court in each state, but Parliament has the power to establish a common High Court for two or more states, and, in exercise of this power, Parliament has made the High Court of Assam the High Court for the state of Nagaland as well.

As the highest court of a state, a High Court has appellate



jurisdiction over the subordinate courts, in civil and criminal cases, subject to certain conditions. It has also a constitutional jurisdiction to try cases involving interpretation of the Constitution and also to issue the writs of *habeas corpus*, etc., not only for the enforcement of fundamental rights but also for other purposes. The High Court has also a power of superintendence over all courts and tribunals throughout the territory in relation to which it exercises jurisdiction, excepting military tribunals.

**Emergency Provisions :** Instead of leaving it to judicial interpretation, the Indian Constitution makes elaborate provisions for meeting emergencies or abnormal situations which call for a departure from the normal governmental machinery set up by the Constitution. The use of the emergency provisions, as will be seen, operates *pro-facto* to silence the other relevant provisions of the Constitution. Such emergencies envisaged by the framers of the Constitution are of three kinds :

- (i) an emergency due to external aggression or internal disturbance ;
- (ii) failure of constitutional machinery in the states ; and
- (iii) financial emergency.

**Emergency owing to External Aggression or Internal Disturbance :** A Proclamation of Emergency may be made by the President at any time he is satisfied that the security of India or any part thereof has been threatened by war, external aggression or internal disturbance. It may be made even before the actual occurrence of any such disturbance, *i.e.*, when external or internal aggression is apprehended. The courts cannot enquire into the validity of the Proclamation by the President on the ground that no emergency did exist in fact.

Every such Proclamation of Emergency must be laid before each House of Parliament. The ordinary duration of a Proclamation is two months, unless before the expiry of that period it is approved by resolutions of both Houses of Parliament. But if such Proclamation has been issued at a time when the House of the People has been dissolved or if the dissolution takes place during the period of two months referred to above, the Proclamation shall cease to operate at the expiration of 30 days from the date on which the House of the People first sits after its reconstitution, unless before the expiry of that period it has been approved by both Houses of Parliament.

The effects of a Proclamation of Emergency may be discussed under four heads—(i) executive ; (ii) legislative ; (iii) financial ; (iv) fundamental rights.

(i) **Executive :** In normal times, the union executive has the power to give directions to a state, only with respect to specified matters

(which have been noted earlier). But under a Proclamation of Emergency, the Government of India shall acquire the power to give directions to a state on any matter, so that though the state government will not be suspended, it will be under the complete control of the union executive, and the administration of the country, in so far as the Proclamation goes, will function as under a unitary system with local sub-divisions.

(ii) **Legislative** : While a Proclamation of Emergency is in operation, Parliament may by law extend the normal life of the House of the People for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation ceases to operate.

As soon as a Proclamation of Emergency is made, the legislative competence of the union Parliament shall be automatically widened and Parliament shall have the power to legislate as regards List II (State List) as well. In other words, though the Proclamation shall not suspend the state legislature, it will suspend the distribution of legislative powers between the union and the state, so far as the union is concerned, so that the union Parliament may meet the emergency by legislating over any subject as may be necessary, as if the Constitution were unitary.

(iii) **Financial** : During the operation of the Proclamation of Emergency, the President shall have the constitutional power to modify the provisions of the Constitution relating to the allocation of financial resources between the union and the states by his own Order. But no such Order shall have effect beyond the financial year in which the Proclamation itself ceases to operate, and, further, such Order of the President shall be subject to approval by Parliament.

(iv) **Fundamental Right** : The impact of a Proclamation of Emergency will be two-fold :

(a) The seven freedoms conferred by Article 19 would *ipso facto* remain suspended, so that these rights would be non-existent and the executive or legislature would be free to take any action regardless of the limitations imposed by these Articles, so long as the Proclamation of Emergency subsists.

(b) The other fundamental rights included in Part III will not remain suspended but the right to move the courts for the enforcement of any of them may be suspended if the President makes an Order specifying the particular rights and the period for which they shall remain suspended.

**Breakdown of Constitutional Machinery in a State** : The Constitution provides for carrying on the administration of a state in case of a failure of the constitutional machinery.

(i) It is a duty of the union to ensure that the government of every state is carried on in accordance with the provisions of the Constitution. So, the President is empowered to make a Proclamation that the government of a specified state cannot be carried on in accordance with the provisions of the Constitution, *e.g.*, where after the fall of one ministry, the opposition parties are not in a position to form an alternative government which commands a majority in the Legislative Assembly.

(ii) Such Proclamation may also be made by the President where any state has failed to comply with, or to give effect to, any directions given by the union, in the exercise of its executive power to the state.

By such Proclamation, the President may assume to himself all or any of the functions of the executive of the state or of any other authority save the High Court; and declare that the powers of the legislature of the state shall be exercisable by or under the authority of Parliament. In short, by such Proclamation, the union would assume control over all functions in the state administration, except judicial.

The provisions relating to the duration of a Proclamation of failure of constitutional machinery in a state are similar to those relating to a Proclamation of Emergency which have been referred to earlier. But the points of distinction between the two kinds of Proclamations should be carefully noted :

(i) A Proclamation of Emergency may be made by the President only when the security of India or any part thereof is threatened by war or internal disturbance. A Proclamation in respect of a failure of the constitutional machinery may be made by the President when the constitutional government of a state cannot be carried on for any reasons, not necessarily connected with, war or internal disturbance.

(ii) When a Proclamation of Emergency is made, the centre shall get no power to suspend the provisions of the Constitution relating to state or any part thereof. The state executive and legislature would continue in operation and retain their powers; all that the centre would get are concurrent powers of legislation and administration of the state. But under a Proclamation in case of a failure of the constitutional machinery in a state, the state legislature would be suspended, and the executive authority of the state would be assumed by the President in whole or in part.

(iii) Under a Proclamation of Emergency, Parliament can legislate in respect of state subjects only by itself; but under a Proclamation of the other kind, it can delegate its powers to legislate for the state to the President or any other authority specified by him.

(iv) A Proclamation as to failure of the constitutional machinery has no impact on fundamental rights.

**Financial Emergency :** If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or of any part of the territory thereof is threatened, he may by a Proclamation make a declaration to that effect.

The consequences of such a declaration are :

- (i) During the period any such Proclamation is in operation, the executive authority of the union shall extend to the giving of directions to any state to observe such canons of financial propriety as may be specified in the directions.
- (ii) Any such direction may also include a provision requiring the reduction of salaries and allowances of all or any class of persons serving in connection with the affairs of a state ; a provision requiring all Money Bills or other financial Bills to be reserved for the consideration of the President after they are passed by the legislature of the state.
- (iii) It shall be competent for the President during the period any such Proclamation is in operation to issue directions for the reduction of salaries and allowances of all or any class of persons serving in connection with the affairs of the union including the judges of the Supreme Court and the High Courts.

The duration of such Proclamation and the requirement as to laying before Parliament are similar to those of a Proclamation of Emergency.

### III. Amendments to the Constitution

**Nature of the Amending Process :** A distinctive feature of the Indian Constitution is that it seeks to impart flexibility to a written federal constitution.

It is only a few of the provisions of the Constitution which are federal in their impact, that require ratification by the state legislatures and even then ratification by only half of them would suffice. The rest of the Constitution may be amended by a special majority of the union Parliament, *i.e.*, a majority of not less than two-thirds of the members of each House present and voting, which again, must be a majority of the total membership of that House. Even the Fundamental Rights can be amended in this way.

No provision of the Constitution is unamendable. There is, however, a serious judicial controversy as to whether there is any implied limitation upon the amending power in respect of these provisions or features which are supposed to be 'basic' or 'essential'. The procedure

for amendment<sup>9</sup>, in short is that an amendment to the Constitution may be initiated by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House, in the ordinary legislative procedure, by a majority *i.e.* more than 50 per cent of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President for his assent and upon such assent being given to the Bill, the Constitution shall stand amended in accordance with the terms of the Bill.

There is, thus, no separate constituent body for amending the Constitution of India. The amending power is vested in the union legislature itself, to be exercised according to the ordinary legislative procedure, subject only to a special majority. But for the special majority prescribed, a Constitution Amendment Bill must be passed by both the Houses and receive the President's assent as any other Bill. Of course, by an amendment of 1971, it has been made clear that though in the case of ordinary legislation, the President is not bound to give his assent, it will be obligatory for him to give his assent to a Bill for amendment of the Constitution. In short, there is no veto power vested in the President as regards a Constitution amendment duly passed in accordance with the procedure prescribed in Art. 368. There is no requirement of a referendum or plebiscite, or a reference to a constitutional convention. The previous sanction of the President is not required for introducing in Parliament any Bill for amendment of the Constitution.

For amending some specific provisions of the Constitution, broadly relating to the federal structure, an additional requirement is prescribed, namely, that after the Amending Bill has been passed by the two Houses of Parliament, the amendment is also required to be ratified by the legislatures of not less than one-half of the states by resolutions to that effect passed by those legislatures before the Bill making provision for such amendment is presented to the President for his assent.

The provisions for the amendment of which ratification by the states is thus required by the Constitution are—(i) the manner of election of the President ; (ii) the extent of the executive power of the union and the states ; (iii) the Supreme Court and the High Courts ; (iv) the distribution of the legislative powers between the union and

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9. This leaves out of account those provisions of the Constitution which may be changed by ordinary legislation of the Union Parliament, by a simple majority without resorting to the amending procedure as outlined above. Such changes, the Constitution itself says, "shall not be deemed to be amendment of the Constitution". One of such matters, for instance, is whether a state should or should not have a second Chamber.

the states ; (v) the representation of the states in Parliament ; (vi) the provision relating to the amending process itself.

**The Constitution Amendment Acts :** Since its commencement on January 26, 1950, the Constitution has been amended thirty-seven times till May 1975.

The First Amendment Act was passed in 1951, almost within a year of the commencement of the Constitution. Several provisions of the Constitution were affected by this amendment, but the amendment of Art. 19 and the insertion of two new Articles, 31A and 31B, deserve special mention. In Art. 19, clause (2), several new grounds of restriction to the freedom of speech and expression were added, such as public order, incitement of an offence, interests of friendly relations with foreign states. Arts. 31A and 31B were added with the object of facilitating the acquisition of *zamindari* estates and other intermediary interests without the obligation of payment of compensation.

The Constitution (Second) Amendment Act was passed in 1952. It was a minor amendment dealing with the size of a constituency for parliamentary election in Art. 81(1)(b).

The Constitution (Third) Amendment Act, 1954 was relatively more important, though it was confined to the amendment of only one entry in the legislative lists, viz., Entry 33 of List III. The third amendment was necessitated by the fact that while the concurrent power conferred on the union by Art. 369 in respect of the trade and commerce in the supply and distribution relating to certain commodities was for a temporary period, the continuance of union control over this sphere was found to be desirable in the interest of the national economy.

Momentous changes were effected by the Constitution (Fourth) Amendment Act, 1955. It amended Art. 31 and substituted Arts. 31A and 305. Almost all these changes were made with a view to superseding the decisions and observations of the Supreme Court in several cases, where a view contrary to that envisaged by the framers of the Constitution had been taken.

One of the changes made was that the amount of compensation payable for compulsory acquisition or requisitioning of any property would no longer be justiciable. The adequacy of the compensation has been left to the legislature instead of to the courts, for, according to government it was not possible to carry out the great schemes of social reform which the state was undertaking and going to undertake if full market value was to be paid (as had been held by the Supreme Court) and if the adequacy of the compensation was justiciable in every case. Article 31A was amended by adding several other clauses of law within its ambit, for example, the taking over under State management

for a temporary period of all commercial or industrial undertakings or the extinguishment or modification of rights arising out of contracts or licences for prospecting the mineral resources of the country. Not only laws relating to agrarian reform but also such laws as just stated are now exempted from the challenge of unconstitutionality, in order to pave the way for the socialistic pattern of society which has been declared to be the objective of our State.

The Constitution (Fifth) Amendment Act, 1955 provided for the imposition of a time-limit within which the states were to give their views for any reorganization of the states under Art. 3.

The Constitution (sixth) Amendment Act, 1956 made certain changes in Arts. 269 and 286, relating to the taxation of sales.

The Constitution (Seventh Amendment) Act, 1956 made extensive changes in the Constitution, consequent upon the reorganization of the states.

By the Eighth Amendment Act of 1959, an amendment was made in Art. 334 to prolong the reservation of seats in the legislatures for the scheduled castes and tribes and the Anglo-Indians for another ten years.

The Ninth Amendment Act was passed in 1960 to amend the First Schedule to implement the Indo-Pakistan Agreement to transfer certain territories, including the transfer of Berubari to Pakistan.

By the Tenth Amendment Act of 1961, Art. 240 and the First Schedule were amended in order to incorporate Dadra and Nagar Haveli as a union territory.

The Eleventh Amendment Act of 1961 narrowed down the grounds for challenging the validity of election of the President and the Vice-President, by amending Arts. 66 and 71.

The Twelfth Amendment of 1962 amended Art. 240 and the First Schedule to incorporate Goa, Daman and Diu as a union territory.

The Thirteenth Amendment of 1962 inserts Art. 371A to make special provisions for the administration of the state of Nagaland.

The Fourteenth Amendment of 1962 provides for legislatures for the union territories of Himachal Pradesh, Manipur, Tripura, Goa, Daman and Diu and Pondicherry.

The Fifteenth Amendment of 1963 affected a number of Articles. The more important of the changes introduced are the raising of the age of the High Court judges from 60 to 62; the extension of the jurisdiction of a High Court to issue writs under Art. 226 to a government or authority situated outside its territorial jurisdiction where the cause of action arises within such jurisdiction; modifying the procedural limitations imposed by Article 311 upon the pleasure of the President or a Governor to dismiss a civil servant.

The Sixteenth Amendment Act, 1963, amended Article 19 to enable

Parliament to make laws providing for penalty for any person questioning the sovereignty or integrity of the Union of India, with consequential changes in some other articles.

The Seventeenth Amendment Act, 1964, has amended Art. 31A to make it more extensive and added a number of State Acts to the Ninth Schedule, thereby saving them from being challenged as offending against the Fundamental Rights.

The Eighteenth Amendment Act, 1966, made some verbal amendments in Art. 3 to include union territories.

The Nineteenth Amendment Act, 1966, amended Art. 324 to enable High Courts to decide election petitions disputing elections to Parliament and the state legislature in place of election tribunals.

The Twentieth Amendment Act, 1966, inserted Art. 233A, in order to validate certain appointments to the post of district judges, which had been declared invalid by the Supreme Court as being in contravention of the provisions of Arts. 233 and 235.

The Twenty-first Amendment Act, 1967, was passed to include Sindhi language within the list of official languages in the Eighth Schedule.

The Twenty-second Amendment Act, 1969, was passed to insert Arts. 244 A and 371 B to form an autonomous state within the state of Assam, comprising the tribal areas specified in Part I of the Table to para 20 of the Sixth Schedule to meet the demands of the hill tribes for a separate state for themselves, which has since been named Meghalaya.

The Twenty-third Amendment Act, 1969, has amended Arts. 330, 332, 333 and 334 to extend the reservations prescribed by the Constitution in favour of the scheduled castes and tribes and the Anglo-Indians, by another ten years, i.e., up to 1980.

By the Twenty-fourth Amendment Act, 1971, Arts. 13 and 368 were amended to make it clear that Fundamental Rights were amendable under the procedure laid down in Art. 368, thus overriding the majority decision of the Supreme Court in *Golak Nath v State of Punjab* (1967) 2 SCR 762.

Art. 31(2) was further amended, and Art. 31 C was inserted, by the Constitution (Twenty-fifth Amendment) Act, 1971. The amendment of Art. 31(2) was to substitute the word 'compensation' by the word 'amount', in order to obviate the Supreme Court's interpretation that the full monetary equivalent of the property acquired must be paid in a case of compulsory acquisition.

The Twenty-sixth Amendment Act, 1971, omitted Arts. 291 and 362 and inserted Art. 363 A, in order to abolish privy purse and other privileges of the erstwhile rulers of Indian states.



By the Twenty-seventh Amendment Act, 1971, Arts. 239 A and 240 were amended and Arts. 239 B and 371 C were inserted in order to add Mizoram and Arunachal Pradesh as union territories and empower the Administrator of union territories to make Ordinances.

The Twenty-eighth Amendment Act, 1972, inserted Art., 312 A and omitted Art. 314 in order to revoke certain privileges of the members of the Indian Civil Service.

The Twenty-ninth Amendment Act of 1972 added two Kerala Acts to the Ninth Schedule.

The Thirtieth Amendment Act of 1972 amended Art. 133 (1) to do away with the right of appeal to the Supreme Court in civil cases, on the basis of the monetary value of the litigation.

The Thirty-first Amendment Act, 1973, has *inter alia*, enlarged the composition of the House of the People from 525 to 545 members by amending Art. 81.

By the Thirty-second Amendment Act, 1973, special provisions were introduced for safeguarding certain interests in the state of Andhra Pradesh, by inserting Arts. 371D-371E.

The Thirty-third Amendment Act, 1974, was passed to ensure that the resignation tendered by a member of the union or a state legislature would be effective only where the appropriate Speaker or Chairman was satisfied, on enquiry, that the resignation was voluntary or genuine and not under duress or undue influence from any interested person or party.

The Thirty-fourth Amendment Act, 1974, added some twenty more Acts to the Ninth Schedule, in order to shield them from judicial review on the ground of contravention of Fundamental Rights.

By the Thirty-fifth Amendment Act, passed in February, 1975 some provisions were inserted in the Constitution to confer the status of as 'associate state' upon Sikkim, an erstwhile Protectorate. These were however, soon replaced by other provisions introduced by the Thirty-sixth Amendment Act (passed on May 16, 1975), admitting Sikkim as a full-fledged state under the Union of India.

The Thirty-seventh Amendment Act, 1975, made changes in Arts. 239A-240, to improve the status of the union territory of Arunachal Pradesh.

#### IV. Working Of The Constitution

Since the Indian Constitution was promulgated in November, 1949, momentous changes have been introduced not only by over three dozen of Amendment Acts which we have noticed in the preceding

section but by scores of judicial decisions emanating from the highest tribunal of the land. Nearly every provision of the original Constitution has acquired a gloss either from the legislative amendment or from judicial interpretation and an account of the working of the Constitution, over and above this, would in itself be a formidable one. The broad trends can only be indicated.

At the first instance, the passing of thirty-seven Amendment Acts in a period of twenty-five years can hardly be passed over unnoticed.

**Multiple Amendments of the Constitution :** In the American Constitution, the process of formal amendment prescribed by the Constitution being rigid, the task of adapting the Constitution to changes in social conditions has fallen into the hands of the judiciary even though it ostensibly exercises the function only of interpreting the Constitution. Instead of leaving the matter to the slow machinery of judicial interpretation, our Constitution has vested the power in the people's representatives and, though the final power of interpretation of the Constitution as it stands at any moment belongs to the courts, the power of changing the instrument itself has been given to Parliament (with or without ratification by the state legislatures) and, if Parliament, acting as the constituent body, considers that the interests of the country so require, it can amend the Constitution as often as it likes. The case with which these amendments have been enacted demonstrates that our Constitution contains the potentiality of peacefully adopting changes some of which would be considered as revolutionary in other countries.

The real question involved in this context is whether it is the judiciary or a constituent body which should be entrusted with this task of introducing changes in order to keep pace with the exigencies of national and social progress. For reasons good or bad, the framers of our Constitution have preferred the legislature as the machinery for introducing changes into the Constitution, but the need for change is acknowledged even in countries like the USA where the task has been assumed by the judiciary taking advantage of the fact that the amending machinery provided in the Constitution was too heavy and unwieldy for practical purposes. This basic fact is overlooked by some of the critics who have commented on the frequent amendments which have been imposed upon the Constitution of India.

A little reflection will show that some of these changes, the need for which must be admitted even by critics, could not have been introduced by the courts by the application of the canons of statutory interpretation which are firmly embedded in our courts. An instance to the point is the insertion of the word 'reasonable' to qualify the word 'restrictions' in Clause (2) of Art. 19 (by the First Amendment). With-

out such a qualification, the process of judicial review would have been altogether excluded from the field of legislative encroachment upon the freedom of expression, for, it was not open to any court, unless it was determined to do violence to the canons of interpretation, to supply the word 'reasonable' which had been inserted by the makers of the Constitution in all the other Clauses of Article 19 but omitted in Clause (2). Similar is the case with the subject-matter of the Third Amendment. When the Constitution was framed, it was considered essential that the union Parliament should have a concurrent power to regulate production, supply and distribution of, and trade and commerce in, certain essential goods and raw products, in order to prevent their scarcity in any part of the country. This power of Parliament was, however, reserved for a temporary period. A few years' working demonstrated that such concurrent control was necessary on a permanent basis. Provided one agrees that the change was necessary in the interests of the nation, the conclusion is inevitable that a formal amendment of the Constitution was the only solution, for a court could, by no means, transform a temporary provision of the Constitution into a permanent one. Exactly similar is the position in regard to the Eighth Amendment which prolonged the duration of the reservation made for the scheduled castes and tribes and the Anglo-Indians. Nor can it be urged that the several amendments made to incorporate territorial changes were unnecessary or uncalled for. The Seventh Amendment, patently, furthered the territorial consolidation of the erstwhile Indian states with the rest of India, completing the process of integration which started with Sardar Patel. Owing to potent historical reasons, the territorial reorganization effected by this Amendment Act could not be made by the makers of the Constitution before promulgating it in 1949. Similarly, the Tenth, Twelfth, Thirteenth and Fourteenth Amendments have been necessitated by the acquisition of new territories or the upliftment of the political status of existing territories, which are obviously beneficial to the nation.

Upon a perusal of the various arguments on either side, the following broad observations may be made.

So far as the working of the Constitution in a period of emergency is concerned, no reasonable critic would urge that in view of the dangers to which India is exposed from foreign aggression all over her borders, events during the Chinese and Pakistani aggressions have justified the unique plan of the Constitution to transform itself to a unitary system against a common enemy who threatens the existence of the nation itself. There has been little complaint against the working of the relevant provisions in this behalf except that a proclamation

of national emergency, once made, is continued for an inordinate length of time; thus, the emergency which was declared in December, 1971 to meet aggression, has not been withdrawn even in 1975. The critics overlook the fact, however, that once Parliament gives its approval to a Proclamation of Emergency under Art. 352 (2)(c), there is no other objective means to revoke the Proclamation of Emergency other than the subjective satisfaction of the executive, which must necessarily be in possession of full information of facts affecting the safety of the nation. The Constitution itself has provided no device for bringing about the termination of a Proclamation of Emergency. The remedy lies in providing such a machinery in the Constitution to effectuate the voice of the nation, if it is sufficiently articulate. But so long as the majority of the representatives of the people in Parliament tolerate its continuance, it is difficult to sustain any criticism of abuse of the existing provisions of the Constitution on this score.

Outside the sphere of emergencies, it should be remembered that the fathers of our Constitution did not intend to adopt a replica of the American model of federalism. Their object was to ensure as much national strength as was consistent with state autonomy within the field demarcated by the distribution of powers laid down in the Constitution. They also intended to build up that 'cooperative federalism' which has, over the years, replaced the water-tight compartmentalism which had been prescribed by the American Constitution in 1787.

At the same time the union should resort to consultation and try to carry the states along with its decisions by persuasion, rather than authority, at least in matters not connected with the integrity or sovereignty of India. An instance to the point is offered by the Proviso to Art. 3. In the original Constitution, the President was bound to ascertain the views of the state or states which would be affected by a law made by Parliament to alter its boundaries. By an amendment of 1955, a mere reference is enough and the union may proceed if the state concerned is unable to communicate its views within the time specified in the reference. No consent of the affected state or states is necessary except in the case of Jammu and Kashmir which stands on a separate constitutional footing. Even though the union be given final authority to act in matters requiring cession or reorganization of the territory appertaining to a state, a machinery for adequate consultation and evaluation of the views of the affected state may be useful even though the formal procedure prescribed by the Proviso be allowed to remain as it is. Absence of such consultation negatives 'cooperative federalism'.

**Implementation of the Directive Principles :** Of the achievements of the executive and the legislature in the working of the Constitution, one cannot fail to refer to the progress made in the implementation of the Directive Principles of State Policy which shows that the government in power has not taken them as 'pious homilies' as apprehended by critics when they were engrafted into the Constitution. Though the implementation of these Directives mostly falls within the sphere of the states, the union has offered its guidance and assistance through its Planning Commission.

(a) The greatest progress has taken place as regards the Directive that the state should secure that the ownership and control of the material resources of the community are so distributed as best to subserve the common good. In an agrarian country like India, the main item of material resources is no doubt agriculture. Since the time of the Permanent Settlement this important source of wealth was being largely appropriated by a group of hereditary proprietors and other intermediaries known variously in different parts of the country, such as, *zamindars*, *jagirdars*, *inamdars*, etc., while the actual tillers of the soil were being impoverished by the operation of various economic forces, apart from high rents and exploitation by the intermediaries. The Planning Commission in its First Plan, therefore, recommended an abolition of these intermediaries so as to bring the tillers of the soil in direct relationship with the State. This reform has by this time been carried out almost completely throughout India. It has already been stated how this reform has been facilitated by the amendments to the Constitution which have shielded these reform laws from challenge in the courts. Legislation has been undertaken in many of the states for the improvement of the condition of the cultivators as regards security of tenure, fair rents and the like. A concentration of land holdings even in the hands of the actual cultivators, has been sought to be prevented by legislation fixing a ceiling, that is to say, a maximum area of land which may be held by an individual owner.

(b) A large number of states have enacted laws to implement the Directive to organize village *panchayats* and endow them with powers of self-government. It is stated that the village *panchayats* now cover 98 per cent of the rural population in the country. Though the constitution and functions of the *panchayats* vary according to the terms of the different state Acts, generally speaking, the *panchayats*, elected by the entire adult population in the villages, have been endowed with powers of civic administration, such as medical relief, maintenance of village roads, streets, tanks and wells, provision of primary education, sanitation and the like.

Besides civic functions, the *panchayats* also exercise judicial powers like the old courts and benches. The judicial wing of a *panchayat*, thus, has a civil jurisdiction to try cases of a value not exceeding rupees two hundred, and is also competent to try minor offences punishable with moderate fines. Legal practitioners are excluded from the village tribunals.

(c) For the promotion of cottage industries, the central government has established several boards to help the state governments, in the matter of finance, marketing and the like, e.g., the All-India Khadi and Village Industries Board, the All-India Handicrafts Board, the All-India Handloom Board, the Small-Scale Industries Board, and the Silk Board. Besides, the National Small Industries Corporation has been set up with certain statutory functions, and the Khadi and Village Industries Commission has been set up for the development of the *khadi* and village industries.

(d) Legislation for compulsory primary education has been enacted in most states and in the union territory of Delhi, and the percentage of literacy, it may be noted, has risen from 16 per cent to 29 per cent in twenty years (1951—71).

(e) For raising the standard of living, particularly of the rural population, the Government of India launched its Community Development Project in 1952. The actual execution of the development programme is the responsibility of the state governments. Over 600 thousand villages and 450 million people are already under this programme which aims at providing better communications, better housing, improved sanitation, and wider education (general as well as technical).

(f) Though legislation relating to prohibition of intoxicating drinks and drugs had been passed in some of the provinces long before the Constitution came into being, not much of the effective work had been done until, in pursuance of the Directive in the Constitution, the Planning Commission took up the matter and drew up a comprehensive scheme through its Prohibition Enquiry Committee. Since then prohibition has been introduced in most of the states in whole or in part.

(g) Separation of the executive from the judiciary has been effected throughout the territory of India by an enactment by Parliament, of the Criminal Procedure Code, 1973 which has provided for the exercise of all judicial functions in criminal proceedings by judicial magistrates in place of executive magistrates.

**Judicial Review :** That the judiciary has, on the whole played its part as the guardian of the Constitution faithfully and effectively is evidenced by the fact that numerous statutes and statutory instruments

have been invalidated by the Supreme Court and the High Courts on the ground of their inconsistency with the justiciable provisions of the Constitution. The writ jurisdiction of these superior courts (under Arts. 32 and 226) covers a considerable portion of the total volume of litigation in these courts.

Wherever the court has interfered, it is because the court has been convinced that the letter of the Constitution, to uphold which the judges have taken oath, calls for such interference and, not, as a former Chief Justice had explained, "out of any desire to tilt at legislative authority in a crusader's spirit" (*State of Madras v. V.C. Row* (1952) SCR 597(605)). And yet, by the application of juristic principles alone, it has been possible for the Supreme Court to interfere in cases of preventive detention.

**Preventive Detention :** The adoption by the Indian Constitution, on a permanent footing, of the power of the executive to arrest persons on suspicion and to detain them without trial, which is tolerated in other countries only in emergencies, has naturally evoked much criticism from foreign observers. But no proper assessment of this apparently regressive provision of our Constitution and its working is possible without taking note of certain circumstances.

A constitution which ignores the needs of the land cannot function in the air. It is common knowledge that detention without trial was in existence since the days of the British regime and was considered necessary to maintain the security of India during the World Wars. The framers of the Constitution simply made such power available under the Constitution, subject to certain safeguards laid down therein, because they painfully visualized that the circumstances which had necessitated such abnormal legislation in the past had not disappeared at the birth of India's independence. It is common knowledge that the Republic had its birth amidst anti-social and subversive forces and the ravages of communal madness, involving colossal loss of lives and property. In order to save the infant Republic from the inroads of any such subversive elements, this power had to be conferred upon the State. But the framers of the Constitution improved upon the existing law by subjecting the power of detention to certain constitutional safeguards upon the violation of which the individual could have a right to approach the superior courts, the safeguards being fundamental rights for the enforcement of which the constitutional remedies would lie. As stated earlier, there have been a number of cases in which the courts have nullified orders of preventive detention in proceedings for *habeas corpus*.

The detention without trial of a single person, no doubt, runs counter to the basic juristic principles which lie at the foundation of democracy in the Anglo-Saxon world. It is, therefore, essential to know,

why the Constitution of India after professing to be democratic and promising to all citizens equal justice and 'dignity of the individual', would at the same time authorize the detention without trial of a person, on certain grounds, even in times of peace or why this drastic power is being used even a quarter of a century since the adoption of the democratic Constitution.

Preventive detention is an extraordinary exception to Rule of Law, which may be justified only by the abnormality of the situation in which the Rule of Law, which warrants the deprivation of the liberty of a person only on proof of his guilt on a specified charge before a court of law, appears to be inadequate or ineffective to ensure the security of the State itself. That a war emergency or purposes of defence afford such an extraordinary exigency is acknowledged both in the UK and the USA. In the UK, Parliament itself authorizes such detention during a war emergency by passing statutes like the Defence of the Realm Act, as is demonstrated by the history of World Wars I and II, and courts have denied judicial review as to the suspicion or subjective satisfaction of the executive on the basis of which persons are apprehended and detained without trial. That the laws remain silent amidst the clash of arms is not a rusty adage of the Roman publicist Cicero has been demonstrated by modern English decisions such as *R. v. Halliday* (1917) A.C. 260 and *Liversidge v. Anderson* (1952) AC 206, where the validity of such detention has been upheld. The absence of any such legislation in the USA till 1950 is explained by the fact that she has been spared by providence from problems arising out of an engagement with an enemy on her own soil. But in 1950, even when there was no actual warfare, the American Congress passed the Internal Security Act (otherwise known as the Subversive Activities Control Act, 1950). By this Act, Congress authorized the President to apprehend and detain without a trial in court "each person as to whom there is reasonable ground to believe that such person *probably* will engage in, or *probably* will conspire with others to engage in, acts of *espionage* or *sabotage*". This power could be exercised by the President after declaring an 'Internal Security Emergency' in the following contingencies—(i) invasion of the territory of the USA, (ii) declaration of war by Congress and (iii) insurrection within the United States in aid of a foreign enemy. Evidently this legislation was inspired by the dangers of communist activities in the USA and it was removed from the statute book in 1971, when the apprehensions of espionage or sabotage from 'fifth columns' had abated.

That no such legislation has been necessary in the UK or in the USA in times of peace is patently due to the fact that these countries



never had to face such colossal problems and dangers to public peace and safety as those which India has had to face since the dawn of her independence. The communal problem is one which emerges out of the peculiar historical and ethnic background of India, and which can hardly be imagined in those countries. Even the magnitude of economic offences, such as hoarding, smuggling, blackmarketing and the like are so colossal in India, owing to the very expanse of its territory, nature of its borders and the heterogeneity of its population, that legal evidence of such activities as would be necessary to secure conviction of each of the individuals involved in a court of law cannot be available.

If India has to face such problems and to establish that much of law and order which is essential to maintain her existence as a viable nation and to develop her resources and productivity which is necessary to banish poverty, a minimum use of such extraordinary power may be called for even though there is no actual warfare with a foreign state. The safeguard of the peace-loving individual lies in (i) the keeping of its use to the minimum, and (ii) the judicial review. It cannot be overlooked that the number of persons detained under the Preventive Detention Act, 1950, came down from 10,000 in 1950 to less than 100 in 1960, and that Act was allowed to lapse (being a temporary statute) in 1969. It was replaced by the Maintenance of Internal Security Act, 1971 primarily induced by a spate of political murders and anti-social economic activities threatening the supplies and services essential to the community. The number of persons actually detained under this Act at any given moment should always be weighed in the background of the fact that the population of India exceeds 600 million. As regards the other safeguard of judicial review, it should be noted that Clauses (4)-(5) of Art. 22, which enable the courts to insert the wedge of judicial review in individual cases, have not so far been repealed or amended.

It is clear that the virtues of the Indian Constitution are being tested on the touchstone of adversity. It has survived quarter of a century ruffled with frequent foreign aggressions from all possible corners, destructive communal and political agitations and anti-social activities on a grand scale. If it overcomes such colossal hurdles, it will be a glorious success not only of democracy in this multi-racial and multi-lingual sub-continent, beset with endless problems, but a triumph of the unique Constitution, composed of variegated elements drawn from heterogeneous sources.



## CHAPTER II

### ADMINISTRATION—CENTRE

**Role and Functions of the Central Government :** The role and functions of the central government in India are quite large, larger indeed than in most federations in the modern world. The Constitution directly entrusts 96 specific subjects to the central government, and the ninety-seventh item is "any other matter not enumerated in List II or List III including any tax not mentioned in either of those lists".<sup>1</sup> There are 47 additional subjects which the central government shares with the states but while acting in the concurrent sphere its laws claim an unquestionably superior position.<sup>2</sup> Although the State List in the Constitution consists of 66 subjects for the exclusive administration of the states, this field is not completely protected from central take-over, even if temporary. The central government is empowered to enact laws with respect to any matter enumerated in the State List if the Rajya Sabha declares by resolution supported by not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make laws with respect to any matter enumerated in the State List.<sup>3</sup> At any rate, during periods when a Proclamation of National Emergency is in operation, the centre is empowered to enact laws in respect to any matter figuring in the State List.<sup>4</sup> Under Article 312 of the Constitution, Parliament is empowered to create new all-India services common to the centre and the states provided the Rajya Sabha passes a resolution to this effect by a two-thirds majority. The all-India services are administered by the central government and though its members are allocated to state cadres, they remain under the ultimate control of the centre.

There are other provisions in the Constitution which have the definite effect of making the central government not only the Government of India but also the government of the "governments" in India. Article 256 places a state government under an obligation to so exercise its executive power as to ensure compliance with the laws

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1. Entry 97 in List I of the Seventh Schedule of the Constitution.

2. *Constitution of India*, Article 254.

3. *Ibid.*, Article 249.

4. *Ibid.*, Article 250.

made by Parliament and to this end the centre is empowered to issue necessary directions to it. Article 257 subjects the states to the control of the central government in certain cases. It says :

- '(1) The executive power of every State shall be so exercised as not to impede or prejudice the exercise of the executive power of the Union, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose.
- (2) The executive power of the Union shall also extend to the giving of directions to a State as to the construction and maintenance of means of communications declared in the direction to be of national or military importance.
- (3) The executive power of the Union shall also extend to the giving of directions to a State as to the measures to be taken for the protection of the railways within the State.'

Further, Articles 200 and 201 empower the Governor—who is appointed by the President—to reserve a Bill passed by the state legislature for the consideration of the President who may veto it without giving any reason.

The powers of the central government are extraordinarily far-reaching, indeed unrestricted, in times of emergency. The union can function as a unitary state (i) when the security of the country is threatened by war or by external aggression or by internal disturbance or (ii) there is a failure of the Constitution in a state or (iii) when there is a threat to the financial stability of any state. It is thus evident that the central field of action is large enough in normal times, but nothing remains kept out of it in times of emergency. All this constitutes the responsibility of central public administration although it is true that the centre may get such tasks as it thinks necessary executed on its behalf by the state administrative machinery.

**Features of Public Administration Since Independence :** India emerged as a sovereign independent State in 1947 with an on-going administrative system at all the three levels of government—central, state and local. That most of the British and a very large number of the Muslim civil servants opted to depart from the country when she was witnessing her finest hour did not bring about any perceptible qualitative change in the machinery of public administration. Nor did the new leaders of independent India think it necessary or wise at the time to introduce radical or significant alterations in the structure and processes of public administration. In terms of goals, however, there was a profound change, for public administration was henceforth, and more formally since 1950 (when the present Constitution was in-

augurated), enjoined upon to accept the following as its guiding principles. Firstly, parliamentary kind of democracy was adopted for the governance of the country both at the central level and in the states. As a result, the public administration of the country became an instrument in the hands of the popularly elected government for the implementation of its policies and programmes. Secondly, India chose a federal system of government, making the central and the state governments autonomous within their respective spheres of operation. Except for the two all-India services, namely the Indian Administrative Service and the Indian Police Service, which were common to both the levels of government, each government came to possess its separate civil service as well as the machinery of government. Finally, regardless of the levels or political complexion, government accepted as its firm guidelines the socio-economic stipulations of the Constitution as articulated in the Preamble and in the Directive Principles of State Policy. The public administration of country came to be affected in a more direct way by provisions such as the separation of the judiciary from the executive, the reservation of posts in public administration for members of scheduled castes and scheduled tribes, the creation of all-India services, the regulation of service conditions of public personnel, etc. Nor can one miss to note the impact of the Comptroller and Auditor-General and the Public Service Commission on the style of public administration.

Not only did public administration find itself placed within a profoundly different ideological framework, the steel frame was deprived, as it were, of its metallic quality. In its internal structure as well it underwent changes scarcely less impressive. Its size expanded enormously. While in 1939 the central government of undivided India had on its pay roll 8.09 lakh employees, the number in partitioned India rose to 12.3 lakhs in 1951 registering an increase of about fifty per cent. What is even more significant is the fact that central public personnel other than those employed in Railways and the Posts and Telegraphs Department quadrupled during this period as would be evident from the following table :

	Gazetted Personnel		Non-Gazetted Personnel (in lakhs)	
	1939	1951	1939	1951
Railways . . . . .	1,755	2,378	6.44	9.01
Posts & Telegraphs . . . . .	576	1,216	1.18	1.51
Other Civil Establishments . . . . .	1,622	7,423	0.47	1.62

The increase in the number of public personnel was even more

marked in the central secretariat as is evident from the following table:

Posts	1939	1945	1948
Secretaries . . . . .	9	19	19
Additional Secretaries . . . . .	..	6	5
Joint Secretaries . . . . .	8	26	35
Deputy Secretaries . . . . .	12	51	84
Under/Assistant Secretaries . . . . .	16	103	191
Superintendents . . . . .	68	215	293
Assistants . . . . .	501	1771	2406
Clerks . . . . .	641	2776	2569
Stenographers . . . . .	90	434	515

The increase in the administrative work-load was largely the direct result of the new functions which the central government was called upon to take up under the pressure of various factors. Having emerged as a sovereign independent nation in the world, India had to enter the international field and to evolve a diplomatic and consular service almost overnight. The integration of the princely states with India created its own volume of work for the central government, which was both of a political and administrative-cum-financial nature. The adoption of parliamentary democracy itself generated a not inconsiderable volume of work for public administration necessitating recruitment of additional personnel. Thirdly, India's commitment to the creation of a welfare state and consequent large-scale socio-economic processes of reform took the government into newer fields entailing additional tasks for the machinery of public administration, calling for the establishment of new organizations and expansion of the existing ones. Taken all together, the cumulative increase in administrative responsibilities necessitated a concomitant increase in the total strength of public personnel and creation of entirely new cadres as well.

Nor did this upward curve of expansion flatten out at this stage. On the contrary, the adoption of comprehensive planning in the country since 1950 has imparted a powerful, unrelenting impetus to the trend towards accelerated growth of the machinery of public administration. This is reflected in the increasing plan outlay on the public sector during the successive Five-Year Plans.

#### Growth of Public Sector Plan Outlay

(in crores of rupees)

Sector	First Five Year Plan	Second Five Year Plan	Third Five Year Plan	Fourth Five Year Plan
			4	
Agriculture	290	530	1,090	2,370
Irrigation	310	420	650	920
Power .	260	440	1,190	1,830

1	2	3	4	5
Industry . . . . .	120	1,080	1,890	3,260
Transport . . . . .	520	1,300	1,940	2,780
Social Service . . . . .	460	830	1,440	3,340
Total . . . . .	1,960	4,600	8,300	14,500

It is proposed to discuss the central government under the following principal headings :—

### I. Machinery of Government

#### (i) Political Executive

#### (ii) Secretariat

#### (iii) Railway Board, Atomic Energy Commission and Posts and Telegraphs Board

#### (iv) Attached Offices

#### (v) Subordinate Offices

#### (vi) Planning Commission

#### (vii) Offices created by the Constitution

#### (viii) Other categories of Organizations

#### (ix) Boards and Commissions

#### (x) Advisory Committees

### II. Public Undertakings

### III. Civil Service

### IV. Vigilance Machinery

### V. Financial Administration

### VI. Control over Administration

### VII. Administrative Reforms

## I. Machinery of Government

(i) **Political Executive** : The Government is run under the name of the President of India, but as is customary in a parliamentary democracy, the real executive is the Council of Ministers with the Prime Minister at its head. The President appoints the Prime Minister but in practice he may not have any real say in the selection if, as has happened so far, a political party commands a clear majority in the Lok Sabha. Other Ministers are appointed by the President on the advice of the Prime Minister. The Council of Ministers holds office during the pleasure of the President, but the party enjoying parliamentary majority may safely expect to run its full course of 5 years, which is co-terminous with the term of the Lok Sabha (unless the Lok Sabha is dissolved earlier and fresh elections held as in 1971 or its term is extended as in 1976). The Rules of Business have been framed under

**Article 77 of the Constitution for allocation of business of government among Ministers and its transaction.** This allocation is made by the President on the advice of the Prime Minister by specifying the items of business allotted to each ministry (or a part of ministry or more than one ministry) and to the charge of a Minister.

Although the Council of Ministers has been referred to in the foregoing paragraph as the real executive, this description truly belongs to the Cabinet, a smaller body consisting of the more senior members of the former, which finds no mention whatever in the Constitution. The Cabinet, functioning on the principle of collective responsibility, is the top policy-making body in the government. While individual Ministers are vested with the powers to act on most issues falling within their spheres, the strategic matters are to be decided by the Cabinet. Such matters are :

- (i) Cases involving legislation including the issue of ordinances.
- (ii) Addresses and messages of the President to Houses of Parliament.
- (iii) Cases involving negotiations with foreign and commonwealth countries on treaties, agreements and other important matters.
- (iv) Cases relating to a Proclamation of Emergency under Articles 352—360 of the Constitution and other matters related thereto.
- (v) Cases relating to commencement or cessation of a state of war and related matters.
- (vi) Proposals to appoint public commissions or committees of inquiry and consideration of the reports of such commissions or committees.
- (vii) Proposals relating to (a) creation of new corporations or companies wholly owned by central government or by a public sector undertaking ; (b) participation by the central government or a public sector undertaking in providing share capital to a new or any existing corporation or company; (c) winding up, amalgamation, or such other major schemes of structural reorganization of public sector undertakings.
- (viii) Cases in which a difference of opinion arises between two or more Ministers and a Cabinet decision is desired.
- (ix) Cases in which a committee of Cabinet or its Chairman desires a decision or direction of Cabinet in a matter of importance on a subject assigned to its charge.
- (x) Cases having financial implications on which the Finance Minister desires a decision of the Cabinet.



- (xi) Proposals to vary or reverse a decision previously taken by the Cabinet.
- (xii) Any other case which the President or the Prime Minister may by a general or special order require to be brought before the Cabinet.

The Council of Ministers, which as a body seldom meets, is a three-tier organization, consisting of Cabinet Ministers, Ministers of State and Deputy Ministers. Although the responsibility of a Cabinet Minister extends to the entire field of central government, he normally heads a ministry allocated to him; there have been Cabinet Ministers without portfolios too. A Minister of State may be either made head of a ministry or, as is generally done, attached to individual Cabinet Ministers but he is not a member of the Cabinet, and attends its meetings only by special invitation. A Deputy Minister never holds independent charge of a ministry, restricting himself to such functions as are entrusted to him by the Minister. Also, there are Parliamentary Secretaries who, though they fall outside the Council of Ministers, perform functions which are relevant to the present discussion. They assist their political superiors in their parliamentary work. In March 1975, the political executive consisted of the following 58 members, there being no Parliamentary Secretaries :

Cabinet Ministers	.	.	.	.	.	.	.	.	.	.	.	15
Ministers of State	.	.	.	.	.	.	.	.	.	.	.	21
Deputy Ministers	.	.	.	.	.	.	.	.	.	.	.	22
												<hr/> 58 <hr/>

In August 1947, there were only fourteen Ministers, the number increasing to 15 Ministers and one Minister of State by the end of the year.

The salaries and allowances of the Ministers are statutorily regulated in India. In 1952, the Parliament enacted the Salaries and Allowances of Ministers Act which has been amended a few times since then. According to the latest Act, each Minister other than a Deputy Minister receives a monthly salary of Rs. 2,250 and a Deputy Minister of Rs. 1,750. Besides, a Cabinet Minister and a Minister of State in independent charge of a ministry get a sumptuary allowance of Rs. 500 per month. While the salaries of the Ministers have been fixed on an austerity scale, the government has been distinctly generous in matters of perquisites and facilities made available to them, an aspect which has sometimes been a subject of public criticism also. A Minister including the Deputy Minister gets a fully furnished residence free of rent; he does not have to pay for electricity, telephone, water, etc. He is entitled to travelling allowances for himself and the

members of his family and for the transport of his and his family's effects in respect of the journey to Delhi from his place of residence outside Delhi for assuming office and in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office. Also, he gets travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties, whether by sea, land or air. He and the members of his family are entitled to accommodation in government hospitals and also to medical treatment free of charge. He may be paid repayable advance for purchase of motor cars. It should also be noted that Ministers cannot draw salary or allowances as members of Parliament.

The Cabinet normally meets once in a week, and more often if necessary. Its meeting is as a rule presided over by the Prime Minister but a senior minister, to be nominated by the Prime Minister, may also preside during the latter's absence from the capital for some length of time. The venue of the meeting is ordinarily the Cabinet Room in the Rashtrapati Bhavan, which has an oval-shaped table, the Ministers sitting, according to their seniority, on one side of the Prime Minister (who sits at the head of the table) and the Cabinet Secretary and such civil servants as are especially invited, on the other side. The normal practice for the transaction of business in the Cabinet is for the Prime Minister to take up items on the agenda in a serial order, and the Ministers concerned explain their views. It is a regular practice to circulate, in advance, the agenda papers among the Ministers. The Prime Minister sums up the consensus after the discussion on an item is over, and the next item is taken up. After the meeting is over, the Cabinet Secretary prepares a summary embodying the decisions arrived at.

**Standing Committees :** The Cabinet, ever hard pressed for time, is generally not in a position to undertake a detailed examination of all matters needing its approval. To facilitate this necessary exercise, it has set up a number of committees, some of which are standing ones while others are of an *ad hoc* nature. In 1974 the standing committees were 12 in number, *viz.*, (i) Political Affairs Committee, (ii) Appointments Committee, (iii) Committee on Economic Planning, (iv) Economic Coordination Committee, (v) Committee on Industry and Trade, (vi) Committee on Science and Technology, (vii) Food and Agriculture Committee, (viii) Committee on Family Planning, (ix) Tourism and Transport Committee, (x) Parliamentary Affairs Committee, (xi) Committee on Accommodation, and (xii) Committee on Employment. A matter requiring Cabinet decision may either come *ab initio* to a committee or it may be referred to the later for detailed scrutiny by the Cabinet before it (the Cabinet) takes a decision. In either case, a Cabinet committee considers the matter in all its aspects and details and

recommends possible course or course of action by the superior body. Generally speaking, Ministers concerned with the given problem find a place on the Cabinet committee. Although the Cabinet is the top policy-making body in the government, some of its committees have really come to enjoy plenipotentiary powers, as it were, the role of the Cabinet being in practice to accord its approval to decisions already arrived at. Of the nine standing committees of the Cabinet the most powerful ones are the Political Affairs Committee and the Appointments Committee; both of them are presided over by the Prime Minister and consist of senior Cabinet Ministers.

**Cabinet Secretariat :** To provide secretariat service to the Cabinet and its committees, there is the Cabinet Secretariat first set up in 1946 as the direct successor to the secretariat of the Viceroy's Executive Council. Besides, the Cabinet Secretariat prepares and maintains records of the discussions and decisions of the Cabinet as well as of its committees. It is also the apex body, at the administrative level, to secure coordination and action in matters in which the Cabinet or the Prime Minister may be interested. By circulating among all the ministries the monthly summaries of major activities of all of them it acts as a kind of window on the entire administrative apparatus of the government. Under the direct charge of the Prime Minister, the Cabinet Secretariat is headed by the Cabinet Secretary who, since the creation of this office in 1950, is ordinarily the seniormost civil servant, acts as Chairman of the Committees of Secretaries as well as of the Senior Selection Board, and is the principal adviser to the Prime Minister. A word about the institution of Committees of Secretaries would be quite appropriate here. A Committee of Secretaries is virtually the administrative counterpart of the Standing Committee of the Cabinet, for the subjects coming before the Cabinet and its committees get by and large covered by the Committees of Secretaries. The latter deal with three categories of matters. The Cabinet or any of its committees may decide on a detailed examination of a matter, which, then, becomes the agenda of the appropriate Committee of Secretaries. Secondly, the Secretary of the ministry concerned may himself take the initiative and seek the benefit of advice of the Committee of Secretaries on a matter if it is to come before the Cabinet for its decision. The Committee of Secretaries may be consulted by a ministry even though it is fully within its competence to take a decision in the matter itself. All taken together, the device of Committee of Secretaries provides the necessary administrative counterpart of the political examination of matters needing decisions at the top level. Mention must here be made of the Prime Minister's Secretariat too which, though humble in its beginnings, has emerged since

1966 or so as a powerful body in the field of top-level governmental decision-making.

(ii) **Secretariat** : The Constitution is silent on the machinery of public administration in the country. Nor does the word 'secretariat' or 'ministry' figure in it. All that it says is that the executive action of the central government 'shall be expressed to be taken in the name of the President'<sup>5</sup> and the latter 'shall make rules for the more convenient transaction of the business of the Government of India, and for the allocation among Ministers of the said 'Business''<sup>6</sup>. The latter provision paves the way for the promulgation of the 'Allocation of Business Rules'. The business of the government is allocated among the ministries and departments, and the ministries and departments enumerated in the Rules are popularly known in their totality as the 'secretariat'.

The secretariat is the nerve-centre of the central government. It assists the Ministers in making (and remaking) policies, plans and programmes. For this purpose, it collects and stores data and information from all possible sources including the lower echelons of public administration. Once a policy has been finalized, a host of subsidiary policies has to be formulated, which too, is the function of the secretariat. It supervises the implementation of the policies and, in this connection, issues detailed instructions to the implementing organizations to ensure proper execution, demands periodic reports from the latter on the progress of work, and carries out such periodical evaluation as may be deemed necessary. It also assists the Ministers in their legislative parliamentary and public activities. The drafts of legislation to be put through the Parliament are prepared by the secretariat. It drafts the replies which the Ministers give to Parliamentary questions. It collects the necessary information for transmission to the committees of Parliament. The secretariat prepares the budget of the government and exercises control over its expenditure. It also deals with administration of the personnel directly under its charge. It is the secretariat which conducts correspondence with foreign governments, international organizations as well as with the state governments. In short, the secretariat performs the following functions :

- (i) Assisting the Minister in policy-making, and in modifying policies from time to time, as and when necessary.
- (ii) Framing legislation and rules and regulations.
- (iii) Sectoral planning and programme formulation.
- (iv) Budgeting and control of expenditure in respect of activities of the ministry and according or securing administrative and financial approval to programmes and plans and

5. *Ibid.*, Article 77 (1).

6. *Ibid.*, Article 77 (3).

their subsequent modifications.

- (v) Supervision and control over the execution of policies and programmes, and providing personnel for the purpose.
- (vi) Coordination and interpretation of policies, assisting other branches of government and maintaining contact with state governments.
- (vii) Initiating measures to develop greater personnel and organizational competence both in the ministry and its executive agencies.
- (viii) Assisting the Minister in the discharge of his parliamentary responsibilities.

The secretariat consists of a number of ministries and departments, the number and character varying from time to time, depending on factors such as volume of work, importance attached to certain items, change of orientation, political expediency, etc. On August 15, 1947 the number of ministries in the central government was eighteen<sup>7</sup>. In 1975 there were the following ministries/departments, the increase in their number being largely on account of an increase in the volume of work :

Ministry of Agriculture and Irrigation

Department of Agriculture

Department of Food

Department of Rural Development

Department of Agricultural Research and Education

Department of Irrigation

Ministry of Commerce

Department of Foreign Trade

Department of Export Production

Ministry of Communications

Ministry of Defence

Department of Defence Production

- 7.
  - 1. Agriculture
  - 2. Commerce.
  - 3. Communications.
  - 4. Defence.
  - 5. Education.
  - 6. External Affairs and Commonwealth Relations.
  - 7. Finance.
  - 8. Food.
  - 9. Health.
  - 10. Home.
  - 11. Industries and Supply.
  - 12. Information and Broadcasting.
  - 13. Labour.
  - 14. Law.
  - 15. Railways.
  - 16. States.
  - 17. Transport.
  - 18. Works, Mines and Power.

Department of Defence Supplies  
Ministry of Education and Social Welfare  
Department of Education  
Department of Social Welfare  
Ministry of Energy  
Department of Power  
Department of Coal  
Ministry of External Affairs  
Ministry of Finance  
Department of Banking  
Department of Economic Affairs  
Department of Expenditure  
Department of Revenue and Insurance  
Ministry of Health and Family Planning  
Department of Health  
Department of Family Planning  
Ministry of Home Affairs  
Ministry of Industry and Civil Supplies  
Department of Industrial Development  
Department of Heavy Industry  
Department of Civil Supplies and Cooperation  
Ministry of Information and Broadcasting  
Ministry of Labour  
Ministry of Law, Justice and Company Affairs  
Department of Legal Affairs  
Legislative Department  
Department of Justice  
Department of Company Affairs  
Ministry of Petroleum and Chemicals  
Department of Petroleum  
Department of Fertilisers and Chemicals  
Ministry of Planning  
Department of Statistics  
Ministry of Railways  
Ministry of Shipping and Transport  
Ministry of Steel and Mines  
Department of Steel  
Department of Mines  
Ministry of Supply and Rehabilitation  
Department of Rehabilitation  
Department of Supply  
Ministry of Tourism and Civil Aviation  
Ministry of Works and Housing  
Department of Atomic Energy

Department of Culture  
 Department of Electronics  
 Department of Parliamentary Affairs  
 Department of Science and Technology  
 Department of Space  
 Cabinet Secretariat  
 Department of Cabinet Affairs  
 President's Secretariat  
 Prime Minister's Secretariat  
 Planning Commission

The major functions dealt by each ministry and department are described below. It however, needs to be borne in mind that they include subjects which fall directly within the states' jurisdiction, and in the case of the latter category of items the central government remains concerned only with issues of policy, and with provision of grants-in-aid and assistance, the administrative and executive responsibility being that of the states. But in the case of union territories the centre's responsibility is direct.

### Ministry of Agriculture and Irrigation

#### Department of Agriculture

- (i) Liaison with international agricultural organizations.
- (ii) Participation in international conferences, associations and other bodies concerning agriculture and implementation of decisions taken thereat.
- (iii) Fishing and fisheries, inland and marine, and processing of fish for industrial purposes.
- (iv) Fundamental research including coordination thereof and higher education in forestry.
- (v) Agricultural and livestock census.
- (vi) Sugarcane development scheme.
- (vii) Economic planning (agricultural economics and statistics).
- (viii) Price control of agricultural commodities except foodgrains, sugar, *vanaspathi*, jute, cotton and tea.
- (ix) Administration of Land Acquisition Act, 1894, and other matters relating to acquisition of land for the purposes of the union.
- (x) Prevention of cruelty to animals.
- (xi) Agriculture (other than agricultural education and research), protection against pests and prevention of plant diseases.
- (xii) Land, that is to say, rights in or over land, and tenures

including the relation of landlord and tenant, and the collection of rents, transfer and alienation of land and improvement and agricultural loans, excluding acquisition of non-agricultural land or buildings, town planning improvements.

- (xiii) Land revenue, including the assessment and collection of revenue, the maintenance of land records, survey for revenue purposes, and records of rights and alienation of revenues.
- (xiv) Preservation, protection and improvement of stocks and prevention of animal diseases; veterinary training and practice.
- (xv) Forests.

### **Department of Food**

- (i) Purchase of foodstuffs for civil and military requirements and their disposal.
- (ii) Participation in international conferences, associations and other bodies concerning food.
- (iii) Entering into treaties and agreements with foreign countries and implementing of treaties, agreements, conventions with foreign countries relating to trade and commerce in foodgrains and other foodstuffs.
- (iv) Hiring and acquisition of godowns for storage of foodgrains including sugar; taking on lease or acquiring land for construction of foodgrain godowns.
- (v) Trade and commerce in and supply and distribution of foodgrains.
- (vi) Price control of foodgrains, foodstuffs, sugar and *vanaspati*.

### **Department of Rural Development**

- (i) Rural community development programmes, including programmes of rural works, local development works and construction of wells for rural drinking water, other than piped water supply.
- (ii) Matters relating to *panchayati raj*.

### **Department of Agricultural Research and Education**

- (i) Fundamental, applied and operational research and higher education including coordination of such research and



higher education in agriculture, animal husbandry, dairying and fisheries, including agricultural statistics, economics and marketing.

- (ii) Coordination and determination of standards in institutions for higher education or research and scientific and technical institutions in so far as it relates to food and agriculture including animal husbandry, dairying and fisheries.
- (iii) Relations with foreign and international agricultural research and educational institutions and organizations.
- (iv) Financial assistance to state governments and agricultural universities in respect of agricultural research and educational schemes and programmes.

### **Department of Irrigation**

- (i) General policy, technical assistance, research and all matters relating to irrigation, flood control, anti-water logging, drainage and anti-sea erosion.
- (ii) Regulation and development of inter-state rivers and river-valleys.
- (iii) Administration of the River Boards Act, 1956.
- (iv) Administration of Inter-State Water Disputes Act, 1956.

## **Ministry of Commerce**

### **Department of Foreign Trade**

- (i) International commercial policy.
- (ii) International agencies principally connected with commercial policy.
- (iii) Matters relating to foreign trade including trade negotiations and agreements.
- (iv) Matters relating to international trade policy including tariff and non-tariff barriers.
- (v) Import and export trade policy and control.
- (vi) Policies of State trading and performance of organizations established for the purpose.

### **Department of Export Production**

- (i) Tariff Commission.
- (ii) Development and expansion of export production in

relation to all commodities, products, manufactures, and semi-manufactures.

### **Ministry of Communications**

- (i) Execution of works and purchase of land debitable to capital budget of Posts and Telegraphs.
- (ii) Posts and Telegraphs, including telephones, wireless and other like forms of communications.
- (iii) Implementation of treaties and agreements relating to matters dealt within the Ministry of Communications.

### **Ministry of Defence**

- (i) Defence of India.
- (ii) The Armed Forces of the union, namely, Army, Navy and Air Force.
- (iii) The Reserves of the Army, Navy and Air Force.
- (iv) The Territorial Army and the Auxiliary Air Force.
- (v) The National Cadet Corps, the Auxiliary Cadet Corps and the Lok Sahayak Sena.
- (vi) Works relating to Army, Navy and Air Force and ordnance factories.
- (vii) Formation of cantonments.
- (viii) Acquisition, requisitioning, custody and relinquishment of land and property for defence purposes.
- (ix) Matters relating to ex-defence personnel including pensioners.

### **Department of Defence Production**

- (i) Defence Production and Inspection Organization.
- (ii) Defence Research and Development Organization.

### **Department of Defence Supplies**

- (i) Planning for substitution of import requirements for defence purposes, particularly in the fields of electronics, instrumentation, vehicles and ship-building and the preparation of schemes in this regard.
- (ii) Implementation of such schemes through the utilization

of the industrial capacity in the country for the research and development work and for manufacture.

- (iii) Coordination of scientific and technological research and development work in the country with the work of the Defence Research and Development Organisation.

## **Ministry of Education and Social Welfare**

### **Department of Education**

- (i) Pre-Primary Education.
- (ii) Elementary Education.
- (iii) Basic Education.
- (iv) Secondary Education, Education and Vocational Guidance.
- (v) University Education; Central Universities; Rural Higher Education, Technical Education, Planning and Development of School Education.
- (vi) Institutions of higher learning.
- (vii) Propagation and development of Hindi.
- (viii) Propagation and development of Sanskrit.
- (ix) Grants-in-aid to state government institutions, non-government institutions, professional bodies and technical institutions of union territories.
- (x) Recognition of professional technical qualifications for purposes of recruitment to posts under the Government of India.

### **Department of Social Welfare**

- (i) Social Welfare.
- (ii) Child welfare and coordination of activities of other ministries and organizations in connection with the subject.
- (iii) Social and moral hygiene, programmes so far as they relate to women in moral danger, that is to say, rescue homes and reception centres, including after-care programmes, the administration of Suppression of Immoral Traffic in Women and Girls Act, 1956, and the establishment and maintenance of protective homes.
- (iv) Social security measures.
- (v) Matters relating to prohibition.

**Ministry of Energy****Department of Power**

- (i) General policy in the field of energy.
- (ii) Research, development, technical assistance and matters relating to hydro-electric and thermal power.

**Department of Coal**

- (i) Exploration and development of coking and non-coking coal and lignite deposits in India.
- (ii) Matters relating to production, supply, distribution and prices of coal.

**Ministry of External Affairs**

- (i) External affairs.
- (ii) Relations with foreign states and Commonwealth countries.
- (iii) Matters affecting foreign diplomatic and consular officers and United Nations officers and its Specialized Agencies in India.
- (iv) Passports and visas.
- (v) Preventive detention in India for reasons of State connected with external and Commonwealth affairs.
- (vi) Repatriation of the nationals of foreign and Commonwealth states from India and deportation and repatriation of Indian nationals of foreign and Commonwealth countries to India.
- (vii) All consular functions.
- (viii) Liaison work connected with the Education Ministry's cultural scholarships schemes and nomination of private students of Indian origin domiciled abroad to reserve seats in medical and engineering colleges in India.
- (ix) Ceremonial matters relating to foreign and Commonwealth visitors and diplomatic and consular representatives.
- (x) Matters in respect of Pondicherry, Goa, Daman and Diu involving relations with France and Portugal.
- (xi) Himalayan expeditions.
- (xii) Coordination and development measures in border areas.
- (xiii) External publicity.
- (xiv) Political treaties.

- (xv) Notification regarding commencement or cessation of a state of war.
- (xvi) Foreign jurisdiction.
- (xvii) Piracies and crimes committed on the High Seas or in the air, offences against the law of nations committed on land or the High Seas or in the air.
- (xviii) Demarcation of the land frontier of India.

### **Ministry of Finance**

#### **Department of Banking**

- (i) All Indian banks, whether nationalized or not.
- (ii) All foreign banks so far as their operations in India are concerned.
- (iii) Matters relating to cooperative banking which are the concern of the Ministry of Finance.

#### **Department of Economic Affairs**

- (i) Administration of the Foreign Exchange Regulation Act.
- (ii) Foreign exchange budgeting.
- (iii) Control of the foreign exchange resources including scrutiny of proposals for imports from the foreign exchange point of view.
- (iv) Foreign investment.
- (v) Currency and coinage.
- (vi) Preparation of briefs and submission of material on financial matters and economic questions relating to India's participation in the United Nations and allied organizations.
- (vii) Borrowing and floatation of market loans by the central and state governments.
- (viii) Regulation of stock exchanges.
- (ix) Control over the issues of capital by joint stock companies.

#### **Department of Expenditure**

- (i) Financial rules and regulations and delegation of financial powers.
- (ii) Review of the staffing of government establishments with a view to securing economy.
- (iii) Statutory grants to states provided for in the Constitu-

tion and *ad hoc* grants and loans to them for financing their development schemes and other approved purposes including financial assistance towards expenditure on relief measures in the event of natural calamities.

- (iv) Local taxation.

### **Department of Revenue and Insurance**

- (i) Matters relating to the Central Board of Revenue.
- (ii) Matters relating to income-tax.
- (iii) Matters relating to central excise.
- (iv) Policy relating to general and life insurance.

### **Ministry of Health and Family Planning**

#### **Department of Health**

- (i) Union agencies and institutes for research or for the promotion of special studies in medicine and nutrition.
- (ii) Port quarantine (sea and air), seamen's and marine hospitals and hospitals connected with port quarantine.
- (iii) Higher training abroad in medical and allied subjects.
- (iv) Public health and sanitation, hospitals and dispensaries.
- (v) The medical profession and medical education.
- (vi) The nursing profession and nursing education.
- (vii) The pharmaceutical profession and pharmaceutical education.
- (viii) Adulteration of foodstuffs and drugs.

#### **Department of Family Planning**

- (i) Policy and organization for family planning.
- (ii) Maternity and child welfare.
- (iii) Organization and direction of education, training and research in all aspects of family planning, including higher training abroad.
- (iv) Production and supply of aids to family planning.
- (v) Liaison with foreign countries and international bodies on matters relating to family planning.
- (vi) Grant-in-aid for the family planning programme to voluntary organizations and local bodies.

**Ministry of Home Affairs**

- (i) Establishment and formation of new states.
- (ii) Issue of notifications of election of the President and Vice-President.
- (iii) Grant of pardons, reprieves, suspension, remission or commutation of a sentence of death; and petitions for remission of sentences (other than death sentences) or for pardon from prisoners sentenced by courts in states for offences against any law relating to a matter to which the executive power of the central government extends.
- (iv) Issue of notifications of appointment and resignation of the Prime Minister and other Ministers and Parliamentary Secretaries of the central government.
- (v) Matters relating to the elections and nominations to Parliament.
- (vi) Issue of notifications of appointment, resignation and removal of Governors/Lieutenant Governors.
- (vii) Bills passed by legislatures of states (except Jammu and Kashmir) reserved by Governors for the consideration of the President; and prior consultation with the central government by state governments as regards state legislation.
- (viii) Scheduled castes, scheduled tribes, denotified, nomadic and semi-nomadic tribes and other backward classes including scholarships to students belonging to such castes, tribes and classes.
- (ix) Hindi teaching scheme for central government employees.
- (x) Matters relating to the rulers of former Indian states referred to in Clause (22) of Article 366 of the Constitution, and their families.
- (xi) Matters relating to emergency provisions of the Constitution (other than those relating to financial emergency).
- (xii) Citizenship and naturalization.
- (xiii) Grant of visas and endorsements for entry into India and the control of foreigners in India.
- (xiv) Code of conduct for Ministers.
- (xv) Census of population.
- (xvi) Criminal law.
- (xvii) Criminal procedure.
- (xviii) Newspapers, books and printing presses.

**Ministry of Industry and Civil Supplies****Department of Industrial Development**

- (i) General industrial policy.
- (ii) Industrial management.
- (iii) Productivity in industry.
- (iv) Cooperation in the industrial sector.
- (v) Planning, development and control of and assistance to all industries other than those dealt with by any other department.
- (vi) Coordination of the development of small-scale industries.
- (vii) Coordination of matters relating to rural industrialization.
- (viii) Standardization of international products and raw materials.
- (ix) Coordinated assessment of demands for raw materials by sectors, industries and large units, in relation to particular groups of products and to available capacities.

**Department of Heavy Industry**

- (i) Manufacture of heavy engineering equipment for all industries.
- (ii) Heavy electrical engineering industries.

**Department of Civil Supplies and Cooperation**

- (i) Internal trade.
- (ii) General policy in the field of cooperation and coordination of cooperative activities in all sectors.
- (iii) Training of personnel of cooperative departments and cooperative institutions (including education of members, office bearers and non-officials).
- (iv) Public cooperation.

**Ministry of Information and Broadcasting**

- (i) Business connected with All India Radio.
- (ii) Development of broadcasting throughout the country, installation and maintenance of radio stations/transmitters.
- (iii) Matters relating to films.
- (iv) Developmental and promotional activities relating to film industry, including teaching and research.



- (v) Research and reference.

### **Ministry of Labour**

- (i) Factories.
- (ii) Welfare of labour.
- (iii) Unemployment insurance.
- (iv) Public cooperation.
- (v) Vocational and technical training of craftsmen.
- (vi) Employment exchanges.

### **Ministry of Law, Justice and Company Affairs**

- (i) Advice to ministries on legal matters, including interpretation of laws, legal proceedings, and conveyancing.
- (ii) Conduct of cases in the Supreme Court on behalf of the central government and on behalf of the government of the states participating in the Central Agency Scheme.
- (iii) Legal aid to the poor.

### **Legislative Department**

- (i) The drafting of bills, including the business of draftsmen in Select Committees; drafting and promulgation of ordinances and regulations; enactment of State Acts as President's Acts whenever required; scrutiny of statutory rules and orders.
- (ii) Elections to Parliament, to the legislatures of states, to the offices of the President and Vice-President; and the Election Commission.
- (iii) Marriage and divorce; infants and minors; adoption; wills, intestate and succession; joint family and partition.

### **Department of Justice**

- (i) Appointment, resignation and removal of the Chief Justice of India and judges of the Supreme Court of India; their salaries, rights in respect of leave of absence (including leave allowance), pensions and travelling allowances.
- (ii) Appointment, resignation and removal, etc., of Chief Justice and judges of High Courts in states; their salaries,

rights in respect of leave of absence (including leave allowance), pensions and travelling allowances.

- (iii) Appointment of judicial commissioners and Judicial officers in union territories.

### **Department of Company Affairs**

- (i) Administration of the Companies (Donations to National Funds) Act, 1951.
- (ii) Administration of the Monopolies and Restrictive Trade Practices Act, 1969.

### **Ministry of Petroleum and Chemicals**

#### **Department of Petroleum**

- (i) Production, supply, distribution and prices of petroleum and petroleum products.
- (ii) Setting up of oil refineries in India.
- (iii) Petrochemicals.

#### **Department of Fertilisers and Chemicals**

- (i) Fertilisers.
- (ii) Drugs and other fine chemicals.

### **Ministry of Planning**

Responsibility to Parliament in regard to the subject of national planning.

#### **Department of Statistics**

Standards and norms and methods of collection of statistics.

### **Ministry of Railways**

Matters relating to government railways, including those relating to railway revenues and expenditure but excluding Railway Inspectorate and Railway Audit.

### **Ministry of Shipping and Transport**

- (i) Maritime shipping and navigation ; provision of education and training for the mercantile marine.
- (ii) Lighthouses and lightships.
- (iii) Shipping and navigation.
- (iv) Ship-building.
- (v) Planning of road and inland waterways transport.

### **Ministry of Steel and Mines**

#### **Department of Steel**

- (i) Steel plants in the public and private sectors, the re-rolling industry and ferro-alloys including all future development.
- (ii) Development of iron ore mines in the public sector.
- (iii) Development of other ore mines and coal washeries and mineral processing for the steel plants.
- (iv) Production, distribution, prices, imports and exports of iron and steel and ferro-alloys.
- (v) Planning, development and control of, and assistance to, all iron and steel industries.

#### **Department of Mines**

- (i) Regulation of mines and minerals development.
- (ii) All other metals and minerals not specifically allotted to any other department, such as aluminium, zinc, copper, gold, diamonds, lead and nickel.

### **Ministry of Supply and Rehabilitation**

#### **Department of Rehabilitation**

- (i) Management of evacuee property.
- (ii) Verification of displaced persons' claims for the immovable property left in erstwhile West Pakistan.
- (iii) Settlement of verified claims and payment of rehabilitation grants to displaced persons in respect of immovable property left by them in erstwhile West Pakistan.
- (iv) Relief and rehabilitation measures for Indian nationals repatriated from Burma, Sri Lanka and Mozambique.

- (v) Relief and rehabilitation of the Tibetan refugees.

### **Department of Supply**

- (i) Purchase, inspection and shipment of stores for the central government other than the items the purchase, inspection and shipment of which are delegated to other authorities by a general or special order.
- (ii) Disposal of surplus stores.

### **Ministry of Tourism and Civil Aviation**

- (i) Meteorological Organization.
- (ii) Aircraft and air navigation, provision of airports, regulation and organization of air traffic and of airports.
- (iii) Beacons and other provisions for the safety of air-craft.
- (iv) Carriage of passengers and goods by air.
- (v) Development of tourism.

### **Ministry of Works and Housing**

- (i) All government civil works and buildings including those of union territories excluding roads and excluding works executed by or buildings belonging to the Railways, Posts and Telegraphs and the Department of Atomic Energy.
- (ii) Horticultural operations.
- (iii) Administration of government estates under the control of the Ministry of Works and Housing.
- (iv) Formulation of housing policy and programme.
- (v) Stationery and printing for the Government of India including official publications.
- (vi) Urban development.
- (vii) Town and Country Planning.
- (viii) Scheme of large scale acquisition, development and disposal of land in Delhi.
- (ix) Improvement trusts.
- (x) Local government, that is to say, the constitution and powers of the municipal corporations (excluding the New Delhi Municipal Committee), district boards and other local self-government administrations excluding *panchayati raj* institutions.

- (xi) Water supply, sewage and drainage.
- (xii) Drinking water supply and sanitation.

### **Department of Atomic Energy**

- (i) Matters relating to atomic energy in India.
- (ii) Financial assistance for the furtherance of studies in the nuclear sciences and the building up of adequately trained man-power for the development of the atomic energy programme.
- (iii) International relations in matters connected with atomic energy.
- (iv) Matters connected with the advancement of higher mathematics.

### **Department of Culture**

- (i) National Library ; the Indian Museum ; the Indian War Memorial Museum ; the Victoria Memorial and the India War Memorial and any other like institutions financed by the Government of India wholly or in part and declared by Parliament by law to be an institution of national importance.
- (ii) Archaeology and archaeological museums.
- (iii) The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951, Ancient Monuments Preservation Act, 1904.
- (iv) International conventions for the protection of cultural property in the event of armed conflict.
- (v) Promotion of fine arts.
- (vi) Schemes for grant of financial assistance to voluntary organizations for promotion of modern Indian languages.
- (vii) Publication of rare manuscripts.
- (viii) Cultural agreements and friendship treaties with foreign countries.

### **Department of Electronics**

**Development of electronics and coordination amongst its various users.**

**Department of Parliamentary Affairs**

- (i) Dates of summoning and prorogation of the two Houses of Parliament ; dissolution of Lok Sabha, President's Address to Parliament.
- (ii) Planning and coordination of legislative and other official business in both Houses.
- (iii) Secretarial assistance to the Cabinet Committee on Parliamentary Affairs.
- (iv) Matters connected with powers, privileges and immunities of members of Parliament.

**Department of Science and Technology**

- (i) Formulation of policy statements and guidelines on science and technology and the following through of their implementation.
- (ii) Promotion of new areas of science and technology.
- (iii) Environment and ecology.
- (iv) Futurology.
- (v) Coordination of areas of science and technology in which a number of institutions and departments have interests and capabilities.
- (vi) Matters relating to creation of a pool for temporary placement of Indian scientists and technologists returning from abroad.
- (vii) All other measures needed for the promotion of science and technology and their application to the development and security of the nation.

**Department of Space**

- (i) Matters relating to space science, space technology and space application to the development and security of the nation.
- (ii) Financial assistance for the furtherance of research and study in space science and space technology and for building up adequate trained man-power for the development of the space programme.

## **Cabinet Secretariat**

### **Department of Cabinet Affairs**

- (i) Secretarial assistance to the Cabinet and Cabinet committees.
- (ii) Rules of Business.

### **Department of Personnel and Administrative Reforms**

- (i) Recruitment, promotion and morale of the civil services.
- (ii) Training.
- (iii) Vigilance and discipline.
- (iv) Service conditions.
- (v) Senior and middle management.
- (vi) Employer-employee relations, including staff grievances and welfare.
- (vii) Union Public Service Commission.
- (viii) Centralized aspects of managing Indian Administrative Service, inter-ministry cadres, including career Planning for the members thereof.
- (ix) Career Planning and Manpower Planning.
- (x) Personnel Management Agencies.
- (xi) Research in personnel administration.
- (xii) Administrative Reforms.
- (xiii) Organisation and Methods.

## **President's Secretariat**

Provision of secretarial assistance to the President.

## **Prime Minister's Secretariat**

Provision of secretarial assistance to the Prime Minister.

## **Planning Commission**

- (i) Assessment of material, capital and human resources of the country, including technical personnel, and formulation of proposals for augmenting such of these resources as are found to be deficient.
- (ii) Formulation of Five-Year Plans for the most effective and balanced utilization of the country's resources.

- (iii) Definition of stages in which the plan should be carried out on a determination of priorities and allocation of resources for completion of each stage.
- (iv) Determination of the nature of the administrative machinery necessary for the implementation of the Plan in all its aspects.
- (v) Appraisal from time to time of the progress achieved in the execution of each stage of the Plan.
- (vi) Public cooperation in national development.

A ministry or a department is normally headed, at the political level, by the Minister and at the administrative level, by the Secretary. The Minister, as said earlier, may be of the Cabinet rank or of the rank of Minister of State. Important ministries like Home, Finance, Defence, External Affairs etc. are always put in charge of Ministers of the Cabinet rank. The Cabinet Minister may be assisted by Ministers of State, Deputy Ministers and even Parliamentary Secretaries, depending upon the political and administrative needs of the day. A Minister of State normally works under the general supervision and guidance of a Cabinet Minister who assigns him specific items of work. In some cases, a Minister of State may hold independent charge of a department. A Deputy Minister is never given an independent charge of a department. He relieves his Minister of part of his burden by being given charge of specific programmes of the ministry, or a specific wing of the department and of parliamentary work. The Parliamentary Secretary, if there is one, shares no administrative responsibilities but assists the Minister in his parliamentary work. The last two offices are basically in the nature of training posts meant for young and promising politicians.

**Minister's Personal Staff :** The Ministers are assisted by personnel designated 'special assistant', 'personal secretary', and 'personal assistant'. While there is no inflexible uniformity in regard to the allocation of these personnel, the normal arrangement for a Minister is to have one personal secretary and two or more personal assistants. Sometimes, special assistant may also be provided to him. Special assistants are generally civil servants of the level of a deputy secretary. Private secretaries may be from within the secretariat or outside. The personal assistants are normally members of the Central Secretariat Stenographic Service.

The special assistant is the principal official aide of the Minister and the files coming to the Minister are usually routed through him. The private secretary, who may be having a rank equivalent to that of an under-secretary at the centre, keeps in his custody the private and personal papers, files marked 'secret', handles correspondence, telephone calls and visitors and renders such assistance as desired. The



personal assistant, who is of a lower rank than either of the preceding two, does stenographic work and other office work entrusted to him. Special assistants to Ministers do sometimes informally participate in the decision-making processes but personal secretaries and personal assistants are engaged in the performance of purely routine matters.

The foregoing is the description of the political executive of the ministry. Below it stands the permanent executive headed by the Secretary. The Secretary is the administrative head of the ministry/department, and is the principal adviser to the Minister on the entire range of activities and programmes of the ministry/department. He is also responsible for the efficient administration of his ministry/department. Finally, it is the Secretary who appears before the various committees of Parliament. Where the charge of a Secretary is too heavy, he may be assisted by additional and/or joint secretaries. In such cases, the additional or joint secretary is vested with the maximum measure of independent functioning and responsibility in respect of all business falling within his wing and normally has direct access to the Minister. The Secretary, however, continues to be responsible for the administration of the ministry as a whole. It needs to be mentioned here that the desirability of having posts of additional and joint secretaries has often been questioned. The justification of these positions lies in the case of ministries and departments where the total work is too large for a single Secretary but which, at the same time, cannot be placed precisely into distinct compartments too. In independent India, however, these posts have become more or less regular in the administrative hierarchy of a ministry. While the additional and the joint secretaries were 5 and 35 respectively in 1948, their number rose to 78 and 238 respectively by the end of 1975. This increase has often been necessitated by expansion of activity, addition of new areas of administration and the demands of parliamentary work including dealings with the public on an unprecedented scale, a necessary consequence of a democratic system of government.

A ministry is internally divided into wings, divisions, branches and sections. A wing, as said earlier, is in the charge of an additional or a joint secretary. A division is headed by a deputy secretary. The latter, as the designation implies, acts on behalf of the Secretary, and is responsible for the disposal of business under his charge which is that of a division. While he disposes of as many cases as possible on his initiative and at his discretion, the more complicated matters are referred to his senior officers. Broad guidelines have, however, been invariably provided as regards the kind of cases that a deputy secretary may finally dispose of. He is assisted by a number of under-secretaries. Mention must also be made of the director who is functionary inter-

mediate between a joint secretary and a deputy secretary. First created in the sixties, the directors, in a sense, do not constitute a separate level in the secretariat hierarchy inasmuch as it is normally an under-secretary (not deputy secretary) who reports to him; indeed, a director's responsibilities do not very much distinguish him from a deputy secretary but his pay-scale is higher than that of the latter. An under-secretary is the head of a branch in the ministry. He disposes of minor cases and submits the more important matters to his deputy secretary for decision. Normally, it is the under-secretary who initiates action on all incoming references. Since 1974 this hierarchical arrangement has undergone a modification inasmuch as the joint secretary has emerged as an effective functionary who has directly under him some deputy secretaries and under-secretaries. It is thus no longer common to place under-secretaries under the deputy secretaries. The strength of these various levels was as follows at the end of 1975 :

(i) Secretaries and equivalent . . . . .	60
(ii) Additional Secretaries and equivalent . . . . .	78
(iii) Joint Secretaries and equivalent . . . . .	238
(iv) Directors and equivalent . . . . .	280
(v) Deputy Secretaries . . . . .	496
(vi) Under-Secretaries and equivalent . . . . .	826

An under-secretary has under him a number of section officers whose work he supervises. A section officer is the head of a section which consists of assistants, upper division clerks, lower division clerks, *daftaries*, etc., popularly called 'office'. The section officer and his section deal with work relating to the subjects allotted to it. The section officer is the first line supervisor in the secretariat and he undertakes a number of functions. He decides on routine cases such as issuing of reminders, acknowledgements, etc., and transmission of factual information of a non-confidential nature. He scrutinizes the note of the assistant, adds his own remarks and submits the case to his under-secretary.

As stated earlier, the section officer is head of the office which includes assistants, upper division clerks, lower division clerks, *daftaries*, etc. The office performs the following functions :

- (i) Linking all the previous papers quoted in the 'fresh receipt'.
- (ii) Seeing that all the facts, so far as they are open to check, are correct.
- (iii) Drawing attention, where necessary, to the statutory or customary procedure and pointing out the law and the rules and where they were to be found.
- (iv) Supplying other relevant facts and figures available in the ministry and putting up the standing guard file on the sub-

ject, if any, or other papers containing precedents or previous decisions on policy matters.

(v) Stating the question or questions for consideration and bringing out the points requiring a decision.

(vi) Suggesting a course of action where possible, particularly drawing upon precedents.

The lower division clerk is the lowest functionary in the office and his duties include routine matters like collection of previous papers, maintenance of files and registers, despatch of mail, etc. The upper division clerk has a similar set of functions to perform but in addition, he notes on simple cases and even assists in their disposal. The assistant's function is to collect the precedents on a matter currently under examination, examine the relevant rules and orders and make suggestions for its disposal.

**Staffing of the Secretariat:** The personnel in the secretariat may be said to fall broadly into two classes—those in the officer class and those in what is called the 'office'. Historically, the officer class in the secretariat has been of a transitory nature. It has, indeed, been the basic philosophy underlying the secretariat that it does not have a cadre of its own but, instead, gets them for varying periods of deputation from several sources. The belief is that since the secretariat is the policy-making organ of the government, its policy-making posts should be manned by personnel who possess live experience of field administration. Its officers, therefore, are taken on what is officially called 'tenure' for periods ranging from three to five years and after the completion of the tenure they normally revert to their parent organization, and the secretariat gets a fresh batch of officers from the field. It is, therefore, a continuing process of recycling—of officers coming to the secretariat and going out of it after a spell of service. The tenures for various levels are as follows :

Under secretary	.	.	.	.	.	.	.	.	.	3 years
Deputy secretary	.	.	.	.	.	.	.	.	.	4 years
Joint secretary	.	.	.	.	.	.	.	.	.	5 years
Secretary	.	.	.	.	.	.	.	.	.	5 years

The officers are drawn primarily from the ICS/IAS and, to a limited extent, from the other central services. Members of the state civil services may also be brought into the secretariat for spells of service although this has not happened on any significant scale. The officers in the Ministry of External Affairs are drawn from the Indian Foreign Service and in the Ministry of Railways from the Railway Services.

The tenure system of the staffing of the secretariat posts, however, is seen in practice not to work very uniformly or rhythmically. Although members of the central services are also inducted into the secretariat, they are apparently not fully content with the present manner of man-

ning the middle and senior level positions in the secretariat and are insisting on a larger share for the central services.

Mention in this context must be made of the Central Secretariat Service which was constituted in 1950 primarily to make available personnel for the first supervisory and the middle management levels in the secretariat. As its name implies, its home is the secretariat itself but its members now go to field establishments too.

There are also a number of posts in the secretariat, which may not be rationally manned by members of any existing organized service. These posts are of specialized or technical nature and recruitment is made through the Union Public Service Commission. The personnel holding such uncadred positions are not members of any of the existing organized civil services and are grouped under what is called the General Central Service. The striking characteristic of such personnel is that they are appointed to a particular post and in this way differ from members of the organized civil services, either all-India or central, who are as a rule appointed to a particular service.

Unlike the transitory cadre of officers, there exists at a lower level a permanent office. The functionaries in the office—the section officer, the assistant, the upper division clerk, the lower division clerk—are not subject to any tenure nor are they liable to be transferred to other ministries and departments of the secretariat. They constitute the 'memory' or the hardcore of the department. The lower division clerk is recruited directly through a competitive examination, originally held by the Union Public Service Commission but since 1971 organized by the Institute of Secretariat Training and Management, a training school for ministerial personnel of the central government functioning under the Cabinet Secretariat. Direct recruitment to the level of upper division clerk has of late been stopped and these posts are now filled by promoting lower division clerks. The assistants are recruited partly by direct recruitment through a competitive examination conducted by the Institute of Secretariat Training and Management and partly by promotion of upper division clerks. The posts of section officers are also filled by a similar process of blending of direct recruitment and promotion of assistants.

**Procedure of Work :** The present arrangement of a basically transitory cadre of officers controlling a permanent office entails the former's obvious dependence on the latter in the matter of transaction of work. It is often the note from the office which sets the tone for subsequent discussions and even final decision. A receipt in the department is as a rule first handled by the dealing clerk and assistant. It is the assistant who examines it in the light of rules, orders, precedents, and notes upon it, suggesting also the plausible courses of action. The case is then put up to the section officer who scrutinizes the material and

sometimes suggests the line on which proposals for disposals should be made. The section officer, then, puts up the case to the next higher level, *i.e.*, the under secretary. Depending on its nature the case may move through the entire hierarchy of deputy secretary/director, joint secretary, additional secretary/Secretary and finally Minister. The process gets prolonged if a reference to other departments is considered necessary, where similar procedure of work is as a rule observed.

It was only in 1973 that the government took a bold step to abandon such a procedure of work by introducing the 'desk officer' system of working. Under the 'desk-officer' system, the first examination of a matter takes place at the level of either a section officer or an under-secretary, thus eschewing its scrutiny at the clerical level.

**(iii) Railway Board, Atomic Energy Commission and Posts and Telegraphs Board :** A discussion of the secretariat naturally reminds one of its variations in the central government, particularly the Railway Board, Atomic Energy Commission, and Posts and Telegraphs Board. Constituted in 1905 and charged with the responsibility of administration of the railways in the country, the idea behind the setting up of the Railway Board, was that "there should be a body of practical businessmen entrusted with full authority to manage railways of India on commercial principles and freed from all non-essential restrictions of needlessly inelastic rules"<sup>8</sup>. The Constitution of the Railway Board has doubtless undergone changes from time to time, but the underlying concept has remained the same. The Railway Board functions as the ministry of the government as well as it is responsible for regulation, construction, operation, etc., of the railways in the country. It exercises full powers of the Government of India in regard to railway revenues and expenditure. The Board consists of the Chairman and four members, the former having the rank of Principal Secretary to the Government of India and the latter of Secretary to the Government of India. The Chairman is the administrative head of the Board and is solely responsible, subject of course to the authority of the Railway Minister, for decisions on technical questions and advice to the government on matters of policy. He may even overrule the other members (except the Financial Commissioner who, if he does not agree with him on financial matters, may refer the issue to the Railway Minister). The members of the Board have been allocated specific subjects. Two striking features of this Board are that it is the top policy-making and decision-making body on matters relating to the railways and at the same time having the responsibility for administration of railways too, and secondly, its personnel are, as

a rule drawn from among the railway services only, thus projecting into the processes of policy-making first-hand expert knowledge of the working of the railway system.

The Railway Board has inspired many organizational drawings in years to come, serving as it did, as a model to many institutions. In 1958 the Atomic Energy Commission was set up by government "modelled more or less, on the lines of the Railway Board"<sup>9</sup>. The Atomic Energy Commission, which enjoys full powers of the government in both administrative and financial matters, has a Chairman and three members, having the rank of Secretaries to the government. A year later, the Posts and Telegraphs—the second largest public utility service (the first being the Railway) run by the government—were conferred the board form of organization basically on the lines of the Railway Board, thus putting to an end the existing duality of the administrative arrangement under which there existed the Directorate of Posts and Telegraphs as well as the Ministry of Communications, causing delay in decision-making. The Posts and Telegraphs Board consists of a Chairman, three senior members—one of whom is the Financial Adviser, and three other members. They enjoy, respectively the rank of Secretary, additional secretary and joint secretary to the government. As in the case of the Railway Board, the Posts and Telegraphs Board is functional in character, each member having charge of a particular portfolio. Recently, there has been a departure from the earlier practice of appointing a generalist administrator as its Chairman and as a result, all the seven positions in the Board are filled from among the personnel of the Posts and Telegraphs Services only. This arrangement assures that the top management is fully conversant with the problems of the posts and telegraphs system of the country.

(iv) **Attached Offices** : As mentioned earlier, the secretariat is the policy-making organization of central government. The execution of policies is the responsibility of other organizations created for such specific purposes. The structure of central public administration is a three-tiered one, the top tier of which is the secretariat. The intermediate tier is known by the name of "attached offices". Being the intermediate tier, an attached office remains in contact with both the higher and the lower tier. It acts as the repository of technical information which is utilized by the corresponding ministry or department in its task of policy-making. In addition, it issues executive directions to the lower organizations which are charged with the responsibility of implementing the policies and programmes of the government. The Second Pay Commission defined the attached offices as "offices which are closely and directly associated with the ministries or departments of

the Government of India in the shaping of policies by furnishing essential technical data and advice and providing executive directions to the departments, etc., which are responsible for implementing the policies or decisions of the government.”<sup>10</sup> Attached offices are intended to be, as indeed they are in practice, action agencies much in the same way as subordinate offices. The distinction between the two is somewhat tenuous.

The origin of the attached offices is interesting. “The development of the attached offices was apparently the result of a confusion of two distinct functions—the laying down of policy and the day-to-day implementation of that policy. The latter is normally the function of the executive head, who while he may also function as an expert adviser on matters dealt with by the secretariat, can only dubiously be regarded as concerned with the enunciation of policy. The distinction between the secretariat and attached offices seems to be connected to the status.”<sup>11</sup> Not all ministries or departments have under them such attached offices. The Ministry of Law, for instance, does not have any attached office under it. The number of attached offices has considerably increased since 1947. In 1946, the central government did not have more than 31 attached offices. In 1973 their number was 67 (see Annexure I) which included such well known organizations as the Central Public Works Department, Central Water and Power Commission, All India Radio, etc. While attached offices have an important role to play in public administration, generally speaking they enjoy inadequate powers and have, therefore, to refer a large number of cases to the secretariat for approval, thereby resulting in delayed action.

**(v) Subordinate Offices :** The lowest tier of central public administration includes what are officially known as the subordinate offices of the Government of India. The subordinate offices are the field establishments, undertaking execution of the schemes and programmes of the central government. The Second Pay Commission defined them as “departments or offices which are responsible mainly for the execution of policies and programmes of the central government.”<sup>12</sup> The Office of Collector of Customs, the Income-Tax Department, the India Security Press, the India Government Mints, the National Civil Defence College, the India Supply Mission are among the more widely known subordinate offices in the central government. Normally, a

10. *Report of the Commission of Enquiry on Emoluments and Conditions of Services of Central Government Employees 1957—59*, New Delhi, p. 126.

11. *Report of the Central Pay Commission*, New Delhi, 1950, p. 130.

12. *Report of the Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees*, op. cit., p. 111.

subordinate office functions under the immediate control of an attached office but it may operate directly under a ministry in the event of there being no attached office dealing with that work.

It must, however, be stated that the line of demarcation between an attached office and a subordinate office is not always very clear or even logical. Indeed, there is hardly any rational explanation why a particular organization has been ranked as a subordinate body and not as an attached office. The First Pay Commission (1947) considered the existing distinction between these two forms of organizations as 'artificial' and demanded its abolition. What it wrote in 1947 has relevance even today. "A great deal of the present discontent among staff would probably cease if the secretariat proper is kept distinct from the other offices at the headquarters of the government, not by upgrading of attached offices to secretariat status but by removing the distinction between attached and subordinate offices. Once the notion of derogatory status is removed and the scales of pay of office staff whether they serve in a secretariat branch, or in an office of chief executive at the headquarters of government or in a local office are determined purely with reference to the nature of the work, the qualifications required and the field of recruitment necessary for getting suitable personnel, the classification of staff will rest on a proper and rational basis."<sup>13</sup> A list of subordinate offices under the central government is given in Annexure II.

(vi) **Planning Commission** : Perhaps the earliest major administrative innovation since 1947 was the setting up of the Planning Commission. The Commission, constituted in 1950 under a Resolution of the Government, is charged with the responsibility of formulation of Five-Year Plans for effective and balanced utilization of the country's resources, and devising ways and means of augmenting them, allocation of priorities among various programmes and projects of development, determination of the best machinery to secure implementation of the Plan and its periodic evaluation. Besides, the Prime Minister who is its Chairman, it includes other senior Ministers as well as senior administrators, thereby reflecting in its composition the power structure of the land. There is also in existence since the same time the National Development Council consisting of the Prime Minister (who is its Chairman) and Chief Ministers of states to review the working of the Plan, consider important questions of social and economic policy affecting national development and recommend measures for the achievement of the targets set out in the Plan.

Over the years the Planning Commission has come to occupy an extraordinarily powerful position in the government. No projects of

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13. *Report of the First Pay Commission*, Delhi, 1947 pp. 83—85.



any significance generally get through unless the Commission has given its approval to it. Even though, formally speaking, it is an advisory body, it has acquired a powerful administrative and financial role in the federal system of the country. There has been considerable proliferation in its personnel and now it comprises, as it were, the variegated technical and administrative skill of the entire government—a veritable microcosm of the central government.

**(vii) Offices Created by the Constitution :** The Constitution has itself set up a few offices as well as commissions and a discussion of the central government is bound to remain incomplete without a mention of them. These offices are of the Comptroller and Auditor General of India, Attorney General for India and the Special Officer for Scheduled Castes and Scheduled Tribes. The Comptroller and Auditor-General of India is appointed by the President under his hand and seal and can only be removed from office in like manner and on like grounds as a judge of the Supreme Court. Of all the three functionaries he is the only one obliged to take an oath to perform the duties of his office faithfully and to uphold the Constitution and the laws. To reinforce his sense of independence and integrity he has been debarred by the Constitution from holding in future any other office under the central government or under the state government. His salary, allowances and pension are not subjected to vote of Parliament: these being charged upon the Consolidated Fund of India, and cannot be varied to his disadvantage after his appointment. The Constitution does not define his duties, terms and conditions of service, leaving these for Parliament to delineate. According to a parliamentary enactment of 1971, the age of his retirement has been fixed at 65, he gets the same salary as a judge of the Supreme Court and his other conditions of service are the same as those of the IAS officer holding the rank of Secretary to the Government of India. The Comptroller and Auditor-General is responsible for compiling the accounts of the central government and state governments, submitting them to the President or the Governor as the case may be and rendering such assistance in the preparation of the central and state budgets as may be asked for. In addition, he audits all expenditure from the Consolidated Fund of India and of each state and ascertains whether the moneys shown in the accounts as having been disbursed were legally available for the service or purpose to which they have been applied and whether the expenditure conforms to the authority which governs it; audits all transactions of the centre and of the states relating to Contingency Fund and Public Accounts; audits all trading, manufacturing, profit and loss accounts and balance sheets in any department of the centre or of a state, and in each case reports on the

expenditure, transactions or accounts so audited by him. He audits the receipts and expenditure of bodies substantially financed from central or state revenues as well as all receipts of the centre and the states. The constitutional protection extended to this post not only emphasizes the importance of the office but also ensures its total independence from political or administrative pressures.

The Attorney General for India, appointed by the President and holding office during the latter's pleasure and receiving such remuneration as the latter may determine, advises the central government upon legal matters as may be referred to him and performs duties of a legal character as assigned to him. The Special Officer for the Scheduled Castes and Scheduled Tribes, appointed by the President, investigates matters relating to the safeguards provided for the scheduled castes and scheduled tribes and reports to the President upon the working of these safeguards, such reports being required to be laid before each House of Parliament.

The Constitution provides for the following commissions : the Union Public Service Commission, Election Commission, Finance Commission, Official Language Commission and Backward Classes Commission. The first two are standing ones while the last three are set up from time to time. The Union Public Service Commission is discussed elsewhere in this chapter. The Election Commission has been made responsible for the superintendence, direction and control of the electoral rolls for, and the conduct of all elections to Parliament and to the legislature of every state and of elections to the offices of President and Vice-President, including the appointment of election tribunals for the resolution of doubts and disputes in connection with elections to Parliament and to the state legislatures. It consists of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may fix. The Chief Election Commissioner cannot be removed from his office except in like manner and on like grounds as a judge of the Supreme Court and his conditions of service cannot be varied to his disadvantage during the term of his appointment.

The Finance Commission, appointed by the President within two years from the commencement of the Constitution and thereafter at the expiration of every fifth year, consists of a Chairman and four other members. The Commission makes recommendations to the President on the following : (i) The distribution between the centre and states of the net proceeds of taxes which are to be, or may be, divided between them and the allocation between the states of the respective shares of such proceeds; (ii) The principles which should govern the grants-in-aid to the revenues of the states out of the Consolidated

Fund of India ; and (iii) Any other matter referred to the Commission by the President relating to the subject. An omission noticed in regard to the functions of the Finance Commission pertains to local finance (urban and rural local governments); this was presumably because local governments did not find a categorical place in the Constitution. The Official Language Commission, consisting of a Chairman and such other members representing the different languages as the President may appoint, and set up at the expiration of five years from the commencement of the Constitution and thereafter at the expiration of ten years from such commencement, recommends to the President on the progressive use of Hindi for official purposes of the union and restrictions on the use of English for all or any of the official purposes of the union. Finally, the Constitution visualizes the appointment of the Backward Classes Commission to investigate the conditions of socially and educationally backward classes and the difficulties under which they labour, and to recommend steps to improve their condition as well as grants that should be made for this purpose by the union or any state. This Commission consisting of such persons as the President thinks fit, submits its report to the latter who causes it to be laid before each House of Parliament.

**(viii) Other Categories of Organizations :** The attached and the subordinate offices represent and embody the structure of 'core' public administration in the central government. The origin of these organizations as that of the secretariat dates from the British period. Since independence the central government began undertaking new functions of a developmental or promotional nature. As the existing forms of organisations had come to be closely characterized by certain rigid features, it was not considered prudent or advisable to invoke the existing forms of the organizations for performance of these new tasks which were of a pioneering nature. New kinds of structures were devised in response to these new assignments. The rapid expansion of public sector undertakings has led to the emergence of the company, the public corporation and, more recently, of the holding company forms of organizations. The government began interesting itself in supporting activities of research, training and of a promotional nature, and setting up registered societies to undertake such functions. The Ministry of Foreign Trade maintains the Indian Institute of Foreign Trade, an organization registered under the Societies Registration Act and maintained by it. The Ministry of Information and Broadcasting has under it the Indian Institute of Mass Communication—a body which has been registered under the Societies Registration Act. Mention may also be made of bodies like the Indian Agricultural Research Institute and the Council of Scientific and Industrial Research, which

are engaged in performing specialized tasks of undoubted significance to the society. The Indian Council of Social Science Research and the Indian Council of Historical Research, both set up by the Ministry of Education, provide funds for research in social sciences and history respectively. All such organizations reflect an aspiration for decentralized decision-making in the government.

**(ix) Boards and Commissions :** The Commission form of organization has also been invoked to carry out selected tasks. Such organizations may be said to fall into three distinct categories from the standpoint of their source of origin. The Constitution of the country itself envisages a few such bodies. These may be of a standing nature or may be constituted at definite intervals of time. The Union Public Service Commission and the Election Commission of India are standing ones. The constitutional base of the commissions is calculated to confer upon them autonomy in the matter of their functioning, thus making them independent of the executive branch of the central government. The second group of commissions visualized in the Constitution includes the Finance Commission, the Backward Classes Commission and the Official Language Commission. These bodies are constituted at defined intervals of time. Of these the most important is the Finance Commission set up every fifth year to recommend, among others, on the distribution between the centre and the states the revenue from certain taxes and the allocation between the states of the respective shares of such proceeds.

The second category of commissions includes bodies like the University Grants Commission, the Oil and Natural Gas Commission, the Atomic Energy Commission, all having been set up under specific statutes of the Parliament. The statutory origin of these organizations is intended to invest them with independence and flexibility in the matter of their functioning. Finally, certain commissions have been constituted under the executive resolutions of the government, the examples being the Central Social Welfare Board, the Handicrafts Board, the Central Water and Power Commission, etc. They have nothing particularly distinguishable about them and are generally classed as the attached offices of the central government, though some of these enjoy greater freedom in regard to decision-making as against a department of government. In fact, the *raison d'être* for the creation of such bodies is to rid them, in varying degrees undoubtedly, of day-to-day governmental control in administrative and financial matters.

One should also draw attention to boards and commissions which have been set up primarily to perform functions of a promotional and developmental character. A few like the Forward Markets Com-

mission and the now abolished Gold Control Board were regulatory in nature. A number of commodity boards have been in operation, some even dating back to the pre-independence period. The first of this kind, the Coffee Board, was constituted in 1935 to bring about improvements in the coffee industry. It was followed, three years later, by the Tea Board. After independence there have been set up, in quick succession, the Indian Rubber Board, the Central Silk Board, the Coal Board and the Coir Board, all being statutory. Mention may also be made of the Khadi and Village Industries Commission (1956) and the Central Council of Gosambardhan (1960). In addition to the statutory boards, there are also those which have been created by government resolutions, like the Handloom Board and the Handicrafts Board.

(x) **Advisory Committees** : Nor can one fail to take note of advisory committees which are essentially a post-1947 innovation in Indian public administration. In 1947 there were not more than a dozen advisory committees in existence. Moreover, the committees that existed did not have the distinctive complexion that such bodies normally acquire under a democratic set-up. The British Raj was, understandably enough, not particularly interested in developing machinery which partook of any real democratic traits. Apart from this, the role of the government too was rigidly circumscribed. Also, it is largely 'developmental' and 'promotional' activities that are prolific source of advisory committees. The independence of the country and establishment of a popular government provided, for the first time, a congenial atmosphere for the growth and development of advisory committees in India. This is natural enough, for the consultative aspects of policy-making and/or policy-implementation are enormously important in a democratic government, more particularly in one like ours, committed to economic planning and the ideals of a welfare state. Consequently, there has been a phenomenal growth of such bodies. In 1963 their number stood at 580.

The phenomenal growth in the number of advisory committees attached to the machinery of the central government is largely to be accounted for by the enormous extension in the functions and activities of the government but the present number is excessive even in relation to the increase in the activities of the government. Advisory committees abound in spheres dealing with activities broadly termed 'promotional' and 'developmental', such as commerce, industry, education, health, etc. An increasing number of advisory committees are being set up to deal with subjects in the State List of the Constitution, which is reflective of their importance as instruments for promoting uniform institutional and procedural patterns

in the states sphere of functions, and for bringing about inter-state coordination and cooperation. Expert committees are, generally speaking, more effective than representative advisory committees, while the statutory basis of an advisory committee does not necessarily offer any guarantee of its effectiveness.

The need for advisory committees will continue to be felt in the foreseeable future and, further, both their number and importance is likely to increase with the passage of time. It is but proper, therefore, to reckon advisory committees as being, or fast becoming, an integral part of the machinery of the government, although these are composed of members who are outside its regular cadre. Their emergence, however, has raised some problems which may not be discussed within the compass of this chapter. Mention, however, deserves to be made of two of them. First, as an advisory committee is a link between the government and the organized interest groups, there is likelihood of the interests of the relatively unorganized sections of the community not being adequately reflected in policy-making which may, as a result, get unduly tilted in favour of the more organized groups. Secondly, the resultant increased contacts between bureaucrats and interest-groups are not entirely without peril, for these may lead to a gradual erosion, even if unobtrusive, of the officials' sense of responsibility, authority and independence.

## II. Public Undertakings

The most impressive development in central public administration since 1947 has been witnessed in the field of public undertakings. The Industrial Policy Resolution of 1948, systematically launched the government into this relatively new field and provided a stable base for public undertakings. The Industrial Policy Resolution of 1956, which substituted the earlier one, considerably expanded the role of the public sector. As a result of these decisions, industries of basic and strategic importance, or of the nature of public utility services, or which required investment on a scale beyond the capacity of private enterprise but which nevertheless were essential, were to come under the ownership and management of the State. Socio-economic factors, no doubt, dictated the policy but the contemporary political milieu provided the emotional grist to the emergence and growth of public undertakings. All in all, the public undertakings have steadily come to constitute a very important and extensive new area of public administration and a vital segment of the national economy. While independent India started with but five public undertakings (other than the depart-

mental ones) their number rose to 101 in 1972 and 114 in 1973. The total investment in them rose from Rs. 29 crores to over Rs. 5052 crores during this period. The personnel employed in these undertakings totalled about 7 lakhs in 1972, the annual wage bill (including other benefits) was of the order of Rs. 415 crores for the year 1971-72.

There are four forms of organizations for public undertakings. The departmental form of organization, adopted in the case of railways, broadcasting and ordnance factories, is the oldest one and is associated with all the merits and demerits characteristic of the regular departments of the government. The company form of organization has been the most widely adopted one in the case of public undertakings, the principal reason for its acceptance being its greater flexibility in terms of subsequent reorganization, already accumulated experience of its working, and well-understood and well-defined legal terminologies, leaving little room for legal wrangles. The Fertilizer Corporation of India, the Bharat Heavy Electricals, the Heavy Engineering Corporation of India, the Hindustan Machine Tools, the Hindustan Anti-biotics, the National Mineral Development Corporation, the Modern Bakeries, the Hindustan Steel, etc., are among the 91 public undertakings (till 1971) organized as companies under the Company Act, 1956. This form may be preferable for the organization of undertakings of a specific nature such as (i) when the government may have to take over an existing enterprise in an emergency, (ii) where it charters an enterprise in association with private capital and starts an enterprise with a view ultimately to transferring it to private management. The Administrative Reforms Commission (1970) recommended its retention and adoption in the case of projects seeking a measure of private participation, undertakings of a predominantly trading character or which are set up to stabilize particular areas of business.

The corporation form of organization comes into existence under an Act of Parliament and has been invoked in the case of 8 public undertakings (till 1971), the well-known examples being the Air India, the Indian Airlines, the Damodar Valley Corporation, the Industrial Finance Corporation. The corporation form was pressed into service in years immediately after independence. This form, however, soon caused disenchantment. Three major factors could probably explain the decline in its popularity. Firstly, the way in which the Damodar Valley Corporation and the Industrial Finance Corporation were functioning was not found to be very satisfactory and the shortcomings were attributed to the form itself. Secondly, the corporation form is inherently rigid in the sense that a statutory amendment alone can effect changes in structure and procedure. The government, being a novice in the field of public undertakings, was in a sense, learning

through a process of trial and error. Frequent changes were consequently needed in the organization, for which the corporation form is ill-suited. Finally, a less important factor was also paucity of parliamentary time to enact the enabling statute (or amendments)—a necessary preliminary to the setting up of a corporation. The corporation is a suitable form for organizing an activity which is, in effect, an extension of the functions of the government such as broadcasting, or where monopoly breeds fast. The Administrative Reforms Commission (1970) was of the view that the undertakings in the industrial and manufacturing field as well as promotional or developmental agencies (so far as possible) should be organized as corporations.

The holding company form of organization for public undertakings was adopted in January 1973 when the central government set up the Steel Authority of India Limited (SAIL). A few years earlier, the Administrative Reforms Commission recommended the setting up of what it chose to call "sector corporations" which apparently did not differ very markedly from the holding companies: "all the industrial and manufacturing concerns in the areas of (1) iron and steel, (2) engineering and machinery tools, (3) electricals, (4) coal and lignite, (5) petroleum and petro-chemicals, (6) mining of iron and other ores and mining and processing of non-ferrous metals, (7) fertilizers and (8) chemicals and drugs, and the concerns in the fields of air transport, shipping, hotels and tourism should be grouped into sector corporations".<sup>14</sup> The Steel Authority of India is the apex organization, and public undertakings in the field of steel such as the Hindustan Steel and the Bokaro Steel became the SAIL's subsidiaries. The SAIL coordinates, controls and guides the functions of all its subsidiaries. The central government does not deal with the subsidiaries of SAIL direct. The apex organization ascertains the budgetary requirements of its subsidiaries and submits a consolidated budget to the government for approval. The money required by them from the government by way of equity or loan is made available through SAIL. The latter assists in exercising financial discipline in the utilization of financial resources and is accordingly authorized to levy a small service charge on the loans advanced by it to its subsidiaries. The SAIL consists of one Chairman, three functional and ten part-time directors.

The management of each public undertaking regardless of whether it is a public corporation or a company, vests in a board of directors which is appointed by the government. One of the directors is nominated as the Chairman of the board, who may be either a full-time or part-time functionary. The board of directors is the policy-making

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14. Administrative Reforms Commission : *Report on Public Sector Undertakings*, Delhi, 1967, p. 17.



organ of the undertaking and its authority is only subject to the control of the administrative ministry of the government. There was, till recently, a practice of the Secretaries and additional secretaries of the government being appointed as Chairman of the boards of directors. Although this has been discontinued in the face of persistent criticism, the secretariat personnel continue to be nominated on the boards of public undertakings. This does not look to be sound—firstly, it blurs the responsibility of the secretariat personnel who are the advisers of the Minister but who, as directors of the boards, also get involved in the execution of the policies of the undertaking and secondly, the secretariat personnel, busy as they already are with their normal assignments, can hardly do justice to the undertaking's work. Conversely, the practice would detract from the total sense of responsibility and involvement of the board of directors and destroy its initiative. The day-to-day administration of the undertaking rests in the hands of a managing director who is a full-time officer.

The middle and senior level positions in public undertakings are manned by personnel taken from four sources. One source is the central government ministries and departments from which the personnel are taken on deputation. The second one is the Indian Management Pool, which the central government set up in 1957 to fill up posts of a non-technical nature relating to general management, finance and accounts, sales, purchase, stores, transportation, and personnel management and welfare. The third one is the internal one and refers, strictly speaking, to the promotion of employees from within an organization itself. Finally, personnel are recruited from the open market too.

In 1961 the central government announced its policy with regard to the recruitment of personnel in the public undertakings. Under it, the personnel in the lower levels are recruited from the region closer to the location of the undertaking, those in the middle level are selected on the basis of merit and qualifications, the local candidates getting a 'fair deal' in the matter of recruitment, those holding higher non-technical positions (*e.g.*, general management) are taken from the Industrial Management Pool and, finally, the higher technical posts are to be filled by 'best qualified persons . . . to be recruited either by advertisement on an all-India basis or by personal contact'.<sup>15</sup>

Mention should also be made of definite emphasis which the government lays on the recruitment of persons belonging to scheduled castes and scheduled tribes. Although no statutory quota in this regard has been fixed, the public undertakings have evolved it as a recognized practice to select as many members of these communities as possible

15. *Fifty-Second Report of Estimates Committee* (1963-64), pp.116-17, New Delhi, 1964.

even though possessed of comparatively low qualifications.

More important than the structure of organization is the personnel who man an undertaking. Yet, it is this aspect which has not received the importance it deserved or demanded. It is not always that recruitment to various positions is made on the basis of qualifications, and promotion is earned on grounds of merit. Almost each public undertaking is riddled with the problem of surplus staff. The lower level personnel are highly unionized, and resort to practices causing slowing down or even stoppages of work has been frequent, thereby adversely affecting productivity.

But the knottiest problem which the public undertakings, especially those designated as public corporations, have encountered is that of reconciliation between autonomy and accountability. These undertakings must be held accountable to the national Parliament; nevertheless their autonomy should not get unduly infringed or curbed on account of the Minister's control over them. Ideally, the ministerial control ought to be co-terminous with the parliamentary control—neither more nor less. In practice, however, there is a lag, and the Ministers are seen to exercise considerable control over public undertakings to the detriment of their sound functioning. It is one of the unresolved issues which the public undertakings continually face in their relationship with the government. At present the public undertakings are required to refer a large number of matters to the government for approval, which slows down their speed and efficiency. The government cannot completely disown its responsibility in the field of public undertakings but as the Administrative Reforms Commission pointed out,<sup>16</sup> its interest should be restricted to the following matters only :

1. Appointment/resignation of Chairman/board members/financial adviser, of chief finance and accounts officer on the recommendation of the board of directors, and of auditor on the advice of the Comptroller and Auditor-General.
2. Higher staff appointments, i.e., where the maximum of the pay-scale of the post exceeds Rs. 2,250 per month.
3. Rules of the company governing the conditions of service of the employees, provident fund and other rules.
4. Annual programme of the public undertaking as reflected by its revenue and capital budget estimates.
5. Proposals of the public undertaking regarding :
  - (i) assistance from other ministries when direct contacts

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16. *Report of the Study Team on Machinery of the Government of India and its Procedures of Work*, part II (Vol II), Administrative Reforms Commission, New Delhi, 1968, pp. 1-2.

- did not produce results ;
  - (ii) raising loans exceeding specified limits ;
  - (iii) higher foreign exchange allocation ;
  - (iv) intervention in labour disputes ;
  - (v) negotiations with foreign countries ;
  - (vi) contracts involving expenditure exceeding specified limits; participation in negotiations for entering into global contracts ;
  - (vii) pricing of products ;
  - (viii) creation of reserves and special funds.
6. Other matters on which the public undertaking is, under its charter, required to obtain the approval of the President, *e.g.*, (i) to sell, lease or otherwise dispose of whole or substantially the whole, of the undertaking, (ii) to form a subsidiary company, and (iii) to divide capital into different classes of shares.
  7. References made by public undertaking under instrument of instructions laid down by the ministry or under accepted or developing conventions.
  8. References made by public undertaking in connection with its operations when the questions involved relate to other business of the administrative ministry or of other ministries for which it has necessarily to seek assistance of the administrative ministry.
  9. Proposal or decision of the board reserved by the Chairman for the decision of the central government.
  10. Changes in the scope (volume and range) of work of the undertaking involving capital expenditure exceeding specified limits—reviewing public aspects, financial aspects, technical aspects including modernization of plant and equipment or change in design.
  11. Examination of reports and returns prescribed by the ministry.
  12. Causes of below expectation progress of performance or of other weaknesses or inefficiency.
  13. Annual report of the public undertaking on its performance (according to a standard pattern) including its balance sheet and profit and loss statement together with the audit report thereon.
  14. Board evaluation of the financial results, degree of fulfilment of the tasks undertaken and overall efficiency of the public undertaking.
  15. Public relation aspects including public criticism in regard

to scale and range of products and their quality.

16. Parliamentary work relating to (i) parliamentary questions and debates, and (ii) report of the Parliament's Committee on Public Undertakings.

17. Whether a directive should be issued to the board of directors of the public undertaking.

It would appear, however, that inspite of the most assiduous exercise to delineate as precisely as possible the relationship between government and the management of public undertakings, the conflict between the autonomy of such enterprises and the final answerability to Parliament would continue to persist. The total responsibility of the government and Parliament is unquestionable as it provides the funds out of the public exchequer. Yet autonomy is an essential attribute of management. Perhaps compromises between the two positions would continue to be made all the time.

### III. Civil Service

**Constitution and the Civil Service :** A remarkable feature of the Indian Constitution is its Part XIV which is devoted to '(Civil) Services under the Union and the States'. It consists of Articles 308—23 grouped into two chapters. The first chapter comprising Articles 308—14, deals with the recruitment and conditions of service including termination of service and demotion, and the all-India services, and the second one running from Articles 315 to 23, with the mode of appointment, functions, etc., of the Union (as well as State) Public Service Commission. As these provisions are at the core of the civil service, it is necessary to summarize them in the course of this narrative. Parliament is empowered to regulate the recruitment and conditions of service of civil servants, subject, of course, to the provisions of the Constitution. While a civil servant holds office during the 'pleasure' of the President, he cannot be dismissed or removed by an authority subordinate to that by which he was appointed and, moreover, before he is dismissed or removed or reduced in rank, he must have been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. Furthermore, the Constitution recognizes the Indian Administrative Service and the Indian Police Service as all-India services and even lays down the procedure for the creation of more of them. If the Rajya Sabha passes a resolution by two-thirds majority, Parliament may pass a law providing for the setting up of one or more all-India services. A new all-India service, the Indian Forest Service, was created in 1965 raising the number of all-India

services to three. Articles 315—23 concern the Union Public Service Commission, which has been discussed elsewhere in this chapter.

**Growth of Civil Service :** From 8.07 lakhs in 1939 and 12.23 lakhs in 1951, the number of civil servants in the central government rose to 29.82 lakhs in 1971, the total annual salary-bill amounting to Rs. 1,000 crores. Of this number, 14 lakh persons are employed in the Railways, 4 lakhs in Posts and Telegraphs and 6 lakhs in Defence (personnel in uniform excluded); the remaining 5.82 lakhs personnel work in the other departments of the central government. The class-wise distribution of the 29.82 lakh employees is as follows :

Class I . . . . .	0.34	lakh
Class II . . . . .	0.46	lakh
Class III . . . . .	15.45	lakh
Class IV . . . . .	13.37	lakh
Unclassified . . . . .	0.20	lakh
	29.82	lakh

Of the total staff of 29.82 lakhs, 25 per cent fall under administrative, technical, professional, executive and clerical categories and the remaining 75 per cent are production process workers, unskilled office workers such as peons, *daftaries*, transport and communication workers. The break-up among the different groups is given below :

Group	Per cent of Total
1. Administrative . . . . .	0.5
2. Technical and professional (like engineers, doctors)	6.4
3. Clerical . . . . .	17.9
4. Production process workers . . . . .	20.5
5. Others like unskilled workers . . . . .	54.7
	100.00

**Structure :** The civil service in the central government is organized into four classes—Class I, Class II, Class III and Class IV, the four-fold vertical classification corresponding, in a descending order, to differences in the responsibility of the work performed and the qualifications required. Class I, which is the elite class, includes all-India services and the central civil services. The all-India services, the personnel of which are interchangeable between the centre and the state governments but which remain under the ultimate control of the centre, are three at present—the Indian Administrative Service (IAS) the Indian Police Service (IPS), and the Indian Forest Service (IFS). The Central Civil Services are 32 in number, their names being as follows :

1. Archaeological Survey of India
2. Botanical Survey of India Service

3. Central Engineering Service
4. Central Electrical Engineering Service
5. Central Health Service
6. Central Revenues Chemical Service
7. Central Secretariat Service
8. General Central Service
9. Geological Survey of India Service
10. Indian Audit and Accounts Service
11. Indian Defence Accounts Service
12. Indian Foreign Service
13. Indian Meteorological Service
14. Indian Postal Service
15. Indian Posts and Telegraphs Traffic Service
16. Indian Posts and Telegraphs Finance and Accounts Service
17. Indian Revenue Service
  - (a) Customs Branch (Indian Customs Service)
  - (b) Central Excise Branch (Central Excise Service)
  - (c) Income Tax Branch (Income Tax Service)
18. Indian Salt Service
19. Mercantile Marine Training Ship Service
20. Overseas Communication Service
21. Survey of India Service
22. Telegraph Engineering Service
23. Zoological Survey of India Service
24. Central Legal Service
25. Railway Inspectorate Service
26. Indian Foreign Service Branch 'B'
27. Indian Inspection Service
28. Indian Supply Service
29. Central Information Service
30. Indian Statistical Service
31. Indian Economic Service
32. Telegraph Traffic Service

The 'Officer' Class includes Class I as well as Class II services, the latter being, basically, the class of first-line supervisors. As in the case of Class I, Class II has a number of services, each separate and distinct with little intercommunication. Class III includes, generally, clerical jobs while Class IV consists of messengers, peons, *daftaries*, *jamadars*, cyclostyling machine operators, and others doing inferior jobs. In 1971 out of every one hundred employees, 45 were in Class IV, 52 in Class III, the remaining 3 being either in Class I or Class II.

**Age of Entry into Civil Service :** Both lower and upper age limits have been prescribed for appointment to various civil services in India.

For all-India services and central services—Class I and Class II—the age limit is 21 to 26 years. The upper age was 24 until 1972 when the government took the decision to raise it to 26 in accordance with the recommendation of the Administrative Reforms Commission. A lower age group—18 to 21 years—is allowed to compete for clerical jobs. For certain specified Class II and Class III services the age group eligible to enter is 19 to 23 or 20 to 25 years. In short, one can hope to enter into government service only if one is in the age group 18-26 years. This practice of restricting public employment to such an age-group tends to make the government rather a closed house permitting almost no lateral entry and constitutes a serious bottleneck in recruitment of persons possessing varied skills requiring longer periods of study which the complex administration of today necessarily demands. Departure from this practice has been made in the case of professional and technical services, and in times of crash recruitment programmes like the Emergency Recruitment of 1947 and 1956. Also, a relaxation of age-limit up to a maximum of 5 years is made for members of the scheduled castes and scheduled tribes. But these devices have an altogether different purpose and often no answer to the rapidly changing requirements of modern administration which increasingly calls for new expertise and greater familiarity with technological progress. The problem is all the more serious on account of the vast and variegated needs of a developing society heading purposefully towards economic equality and social justice. A traditional administrative structure is unable to keep pace with the consistent urgency of the progressively exacting demands of the community.

**Educational Qualifications :** A university degree is the minimum educational requirement for entry into Class I and Class II services. For Class III the minimum qualification generally insisted upon is intermediate or higher secondary, although a university degree is insisted on for entry into certain specified services in this class too (*e.g.*, Subordinate Accounts Service). A still lower educational level of middle school is prescribed for recruitment to Class IV.

The mode of recruitment is either a written examination followed by a personal interview or interview alone. The responsibility of recruiting public personnel of Class I and Class II services has been entrusted to the Union Public Service Commission. Recruitment to Class III is made either departmentally or by the Institute of Secretariat Training and Management, a government-managed training school. The individual departments are empowered to recruit personnel for Class IV posts. For the lower categories of personnel the mode of recruitment is generally a personal interview.

**Union Public Service Commission :** Article 315 of the Constitution

requires the setting up of the Union Public Service Commission which is charged with the responsibility of conducting examinations for appointments to the civil service and which "shall be consulted"<sup>17</sup> on all matters relating to the methods of recruitment to civil services and for civil posts, on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers, on all disciplinary matters affecting civil servants, etc. In addition, it is under an obligation to advice on matters referred to it by the President. The work-pattern of the Commission may be gauged from the figures that follow. In 1972-73 it held 22 written examinations with interviews for filling up 2,300 posts attracting no less than 50,000 candidates, held 4 written examinations (without interviews) for selecting candidates for about 350 posts drawing nearly 2000 aspirants; in addition it interviewed 9,900 candidates for filling up various posts and examined the cases of over 29,000 civil servants involving promotion, seniority or disciplinary matters. The Commission is thus a recruiting body *par excellence*, but under the Union Public Service Commission (Exemption from Consultation) Regulations, 1958, certain categories of posts have been exempted from its purview. The Commission is endowed with a purely advisory role although a high degree of sanctity is naturally attached to its advice. It is required to submit to the President an annual report of its functioning in which it draws particular attention to non-acceptance, if any, of its advice by the government, and which is discussed in Parliament.

The Chairman and members of the Commission are appointed by the President. The Constitution is absolutely silent on the numerical strength of the Commission. What it says is that at least half of them must be persons possessing at least ten years' governmental experience, that they would hold office until the age of 65 years or for a term of six years whichever comes first, and finally that the Chairman is debarred from accepting any employment under the Government of India or under the government of a state while members are eligible for appointment to only one position—Chairman of Union Public Service Commission or of a State Public Service Commission. The last mentioned provision is calculated to reinforce the independence, integrity and impartiality of the commissions. In 1975, the Commission consisted of eight members including the Chairman.

Two more formalities need to be completed before the issuance of the letter of appointment. The first is the police verification of the character of the person to satisfy the appointing authority about the

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17. *Constitution of India*, Article 320 (3).



suitability of a candidate. The second is his examination as to medical fitness in order to ensure that he possesses sound health to be able to stand up to the pressures of public employment.

**Scheduled Castes, Scheduled Tribes and the Civil Service :**

The scheduled castes and scheduled tribes constitute respectively 14.6 per cent and 16.9 per cent of the total population of the country. Because of historical reasons, however, the scheduled castes have remained backward in most respects. Unable to compete with members of other classes of the society on a basis of unfettered equality they obviously deserve concessional treatment in various matters including entry into the public services till they are brought on par with the rest of the society. Consequently the setting apart of a fixed number of posts in the services for the members of these castes has been a firm administrative policy in the central government since 1943. These concessions principally acquired three forms : (i)  $8\frac{1}{2}$  per cent of vacancies in the public services were reserved for the members of these castes ; (ii) the maximum age limit for recruitment to public service was raised by 3 years for them; and (iii) the fee prescribed for admission to an examination or selection in connection with recruitment was reduced to one-fourth in their case. This together with the reservation in promotion fixed since 1968, continues to be the basic framework of concessions allowed to the scheduled castes, notwithstanding the variations in percentages which are determined on the basis of their number in the total population of the country. In 1946 the reservation of  $8\frac{1}{3}$  per cent was raised to  $12\frac{1}{2}$  per cent. In August 1947 when India emerged as a free country this continued to be the percentage of reservation in case of direct recruitment through an open competition on an all-India basis but the reservation was raised to  $16\frac{2}{3}$  per cent in case of recruitment otherwise than by open competition. In the case of recruitment to Class III and Class IV normally attracting candidates from a locality or a region, the percentages of reservation were fixed on the basis of the proportion of scheduled castes to the population of that state.

In 1950 the government formally announced its policy on the recruitment of scheduled castes and scheduled tribes in the public bureaucracy. It did not break any new ground but codified the existing reservation percentages affirming, at the same time, that "orders regarding reservation of vacancies in favour of the various communities will not apply to recruitment by promotion which will be continued to be made as heretofore irrespective of communal considerations and on the basis of seniority and/or merit as the case may be"<sup>18</sup>. The

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18. Resolution No. 42/21/49-NGS dated September 13, 1950, Ministry of Home Affairs, Government of India.

resolution observed : "The policy of the Government of India in regard to communal representation in the services immediately before the coming into force of the new Constitution was that in appointments made by open competition 12½ per cent of the vacancies filled by direct recruitment were reserved for candidates belonging to the scheduled castes while in regard to posts and services for which recruitment was made otherwise than by competition the principal communities in the country were given appointments in proportion to their population. Certain reservations were also made for Anglo-Indians in services with which they had special past associations. The Government of India have now reviewed their policy in this regard in the light of the provisions of the Constitution which lay down, *inter alia*, that with certain exceptions no discrimination shall be made in the matter of appointments to the Services under the State on grounds of race, religion, caste, etc. The exceptions are that special provision shall be made for scheduled castes and scheduled tribes in all services and for Anglo-Indians in those services in which they had special reservations on 14 August 1947".<sup>19</sup>

Except for raising the maximum age by five years, the contents of concessions did not undergo any change until 1970. In that year, the share in public services was increased to 15 per cent in the case of direct recruitment made by open competition on an all-India basis but the percentage of 16⅔ prescribed for the other category of recruitment remained unchanged. Before proceeding further it is necessary to clarify a few points relating to the system of reservation as it has evolved in the public services. Reservations for scheduled castes cannot exceed half of the vacancies filled in a year. If, moreover, there be only one vacancy in any recruitment year, it is ordinarily treated as unreserved (though there are exceptions). Provision also exists to carry forward unfilled reserved vacancies upto three years. However, reservations, wherever provided, are determined in relation to the vacancies occurring from time to time and not in relation to the total strength of a particular service. To give an illustration, in 1974 when the number of vacancies in the IAS was 145 the share of scheduled castes was fixed at 21 (*i.e.*, 15 per cent of 145).

The following table shows the annual vacancies in some of the services during the period 1964-74 and the number of candidates from the scheduled castes recruited against the vacancies reserved for them :

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19. *Ibid.*

**Reservations and Appointments**

Year	Number Reserved for Scheduled Cas- tes	Number actually filled by Scheduled Castes
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*Indian Administrative Service*

1964	14	14
1965	16	16
1966	16	16
1967	17	17
1968	15	15
1969	14	14
1970	12	12
1971	13	13
1972	22	22
1973	24	24
1974	21	21

*Indian Police Service*

1964	10	10
1965	9	9
1966	11	11
1967	11	11
1968	10	10
1969	11	11
1970	6	6
1971	8	7
1972	13	12
1973	14	14
1974	15	15

*Indian Forest Service*

1968	6	6
1969	6	6
1970	2	1
1971	2	3
1972	2	2
1973	2	2
1974	5	5

*Indian Audit and Accounts Service*

1964	1
1965	2
1966	1
1967	2
1968	1
1969	2
1970	4
1971	3
1972	2
1973	1
1974	2

*Indian Defence Accounts Service*

1964	1
1965	1

1	2	3
1966	..	..
1967	1	1
1968	..	..
1969	1	1
1970	..	..
1971	3	3
1972	1	1
1973	1	1
1974	1	1
<i>Indian Railway Accounts Service</i>		
1964	2	2
1965	1	1
1966	1	1
1967	..	..
1968	..	..
1969	2	2
1970	1	1
1971	3	3
1972	2	2
1973	2	2
1974	4	4
<i>Indian Income Tax Service</i>		
1964	7	7
1965	9	9
1966	8	8
1967	7	7
1968	8	8
1969	8	8
1970	10	10
1971	14	14
1972	12	12
1973	12	12
1974	12	12
<i>Indian Customs and Central Excise Service</i>		
1964	3	3
1965	2	2
1966	4	4
1967	4	4
1968	3	3
1969	4	4
1970	4	4
1971	3	3
1972	5	5
1973	4	4
1974	6	6
<i>Indian Railway Traffic Service</i>		
1964	2	2
1965	2	2
1966	2	2
1967	2	2
1968	2	2
1969	2	2
1970	2	2
1971	4	4
1972	3	3
1973	4	4
1974	4	4

1	2	3
<i>Indian Postal Service</i>		
1964	3	3
1965	2	2
1966	2	2
1967	1	1
1968	1	1
1969	2	2
1970	..	..
1971	1	1
1972	..	..
1973	2	2
1974	1	1
<i>Central Information Service</i>		
1964	1	1
1965	2	2
1966	1	1
1967	1	1
1968	1	1
1969	..	..
1970	..	..
1971	..	2
1972	2	2
1973	..	..
1974	..	..
<i>Indian Ordnance Factories Service</i>		
1970	1	1
1971	1	1
1972	1	1
1973	3	3
1974	2	2
<i>Military Land and Cantonment Service</i>		
1970	1	1
1971	1	1
1972	1	1
1973	1	1
1974	..	..

It is apparent from the foregoing statement that the reserved vacancies are all getting filled up. However, as the number of scheduled caste members in the public services recruited before the reservation orders came into force was disappointingly small, particularly in Class I and II services, their actual strength obviously does not correspond to the prescribed percentages of reservation. The following table shows the intake of scheduled caste candidates in the various services in 1974 :

**Scheduled Castes in the Civil Service**

S. No.	Service	Total Strength	Scheduled Castes	Percentages
		3	4	5
1.	Indian Administrative Service	2459	176	7.84
2.	Indian Police Service	934	68	7.28
3.	Indian Foreign Service Branch 'A'	385	25	6.50
4.	Indian Foreign Service Branch 'B'	2472	142	5.74
5.	Indian Statistical Service	382	2	0.52

1	2			
6. Indian Economic Service .	539	17	0.31	
7. Indian Audit and Accounts Service .	583	32	5.48	
8. Central Information Service .	314	9	2.97	
9. Indian Defence Accounts Service .	184	11	5.98	
10. Central Secretariat Service .	5891	331	5.6	

In addition to the year-wise and service-wise representations, an over-all view of the position of the scheduled caste members in the public services becomes necessary. This is provided by the following table :

**Year 1974**

Class	Total Number of Employees	Number of Scheduled Caste Members	Percentage
I	32,464	1,073	3.31
II	50,151	2,326	4.64
III	15,63,931	1,60,771	10.28
IV	12,32,639 (excluding sweepers)	2,28,770	18.56

Mention needs also be made of the extension of the principle of reservation to the field of promotion of public personnel. The process was first initiated in the railways in 1959 but by 1975 the application of the principle of reservation in promotion had been extended to practically the entire field of administration as would be evident from the following table :

Category	Percentage
1. Posts filled by promotion through limited departmental competitive examination in Class II, III and IV services in which the element of direct recruitment, if any, does not exceed 50 per cent.	15
2. By selection from Class II to the lowest rung or category in Class I and in Class II, III and IV services in which the element of direct recruitment, if any, does not exceed 50 per cent.	15
3. On the basis of seniority subject to fitness in Class I, II, III and IV services in which the element of direct recruitment, if any, does not exceed 50 per cent.	15

Although both the scheduled castes and the scheduled tribes are given concessional treatment in the field of public employment, the underlying objectives are different. The tribes have been living in isolation from the national mainstream, and the special facilities devised for

them are basically intended to forge their emotional integration with the rest of the Indian society. To accelerate this process, reservation in the public services was started in 1950 with the enforcement of the Constitution—unlike that for scheduled castes which dates back to the year 1943. The percentage of reservation was five for the scheduled tribes members both in recruitment by open competition and in recruitment made otherwise than by open competition. In 1970 the percentage was raised to 7½. As in the case of scheduled castes, reservations exist in promotions also, the percentage being 7½.

The following tables show the service-wise share of members of these tribes as well as their over-all strength in the public services as a whole :

**Service-wise Representation of Scheduled Tribes in the Civil Service (year 1974)**

S. No.	Service	Total Strength	Scheduled Tribes	Percentage
1.	Indian Administrative Service . . . . .	2459	89	3.97
2.	Indian Police Service . . . . .	934	12	1.28
3.	Indian Foreign Service Branch 'A' . . . . .	385	13	3.45
4.	Indian Foreign Service Branch 'B' . . . . .	2472	15	0.61
5.	Indian Statistical Service . . . . .	382	Nil	Nil
6.	Indian Economic Service . . . . .	539	15	2.7
7.	Indian Audit and Accounts Service . . . . .	583	9	1.5
8.	Central Information Service . . . . .	314	2	.6
9.	Indian Defence Accounts Service . . . . .	184	3	.2
10.	Central Secretariat Service . . . . .	5891	25	.4

**Representation of Scheduled Tribes in the Civil Service (year 1974)**

Class	Total Number of Employees	Number of Scheduled Caste Members	Percentage
I	32,464	179	0.55
II	50,151	243	0.48
III	15,63,931	33,208	2.12
IV	12,32,639 (excluding sweepers)	48,299	3.92

**Reservation for Ex-Servicemen :** As the defence personnel in India have a shorter career than their counterparts in the civil service, the central government and many state governments provide for reservation of posts in the lower cadres for ex-servicemen whose number stands at no less than 22.38 lakhs according to the 1971 census. Ten per cent of the vacancies in Class III posts and twenty per cent in Class IV posts in the departments and ministries under the central government occurring in a calendar year have been set aside for being filled by ex-servicemen. But only 3.1 per cent of the reserved posts are currently being held by them, the reasons for the shortfall being many—non-relaxation of minimum educational qualifications for civil posts, absence of provision to carry forward the vacancies as in the case of scheduled castes and scheduled tribes, etc.

**Training :** Mention must be made of institutional training which the newly recruited members of higher services are required to attend. To this end, a number of training institutions have been set up by the central government, the more important among them being the Lal Bahadur Shastri National Academy of Administration (Mussoorie), National Police Academy (Hyderabad), Indian Audit and Accounts Staff Training School (Simla), Customs and Central Excise Training School (New Delhi), Indian Revenue Service Staff College (Nagpur), etc. The Lal Bahadur Shastri National Academy of Administration, set up in 1959, conducts a five months' foundational course for recruits to the all-India and non-technical Class I Central Services, a one-year training course for the IAS officers, refresher courses, seminars, conferences etc., for senior administrators. After completion of the foundational course the members of the services other than the IAS leave for their respective training schools for further institutional training. From 1969, the government has introduced what is called the sandwich training for members of the IAS. A new entrant to the IAS undergoes two spells of institutional training at the Academy with an interval of one year, which period is utilized for practical training in the state. The first spell consists of the foundational course of five months' duration, already mentioned. After its completion, he is sent to the state (to which he has been allotted) for practical training. At the end of this training he comes back to the Academy to undergo the second spell of training where emphasis is placed on the discussion of administrative problems he has either encountered or observed in the course of his practical training in the state. At the end of the second spell, he appears at an examination conducted by the Union Public Service Commission, and success in it leads to his confirmation in the IAS.

Also, in-service training is imparted to the civil servants. This is a rather more recent development in the country's public administration. Today, institutional training is being given to middle management personnel in administration at various points of their careers. This training covers a wide range of subjects. The immediate impetus to such a development came from the setting up, in 1965, of a separate Training Division in the central Ministry of Home Affairs, later shifted to the Department of Personnel and Administrative Reforms, located in the Cabinet Secretariat. But many factors presently stand in the way of full development of satisfactory training programmes. Training, however, is important and is progressively emerging as a concept of personnel development in India.

**Placement Policy :** The placement system in the government is centralized for higher levels of administration and decentralized for



the rest. The individual ministries are responsible for placement of personnel in all posts below that of the under-secretary but for posts of this level and above, the powers are centralized in the Department of Personnel and Administrative Reforms. For this purpose, the government has since 1970 constituted two Boards to recommend names for posts of the level of under-secretaries and above. This task they set out to perform "having regard to the merits, claims and availability of all officers in the field of choice for any particular vacancy". The Central Establishment Board which is presided over by the Secretary of the Department of Personnel and Administrative Reforms makes recommendations for posts of and above the rank of under-secretary but below that of joint secretary and most categories of non-secretariat posts. The Senior Selection Board which is presided over by the Cabinet Secretary and includes Secretaries of some ministries makes recommendations for the selection and appointment to posts of the rank of joint secretary and equivalent non-secretariat posts. Both these Boards are advisory in character, and their recommendations go to the Appointments Committee of the Cabinet for its final approval. For posts above the level of joint secretary, the Cabinet Secretary himself suggests names to the Appointments Committee of the Cabinet. Until recently the latter was largely a ratifying body, mostly putting the stamp of its approval on the recommendations made by the two Boards. The Appointments Committee of the Cabinet is presided over by the Prime Minister and includes the Home Minister and the Minister of the ministry in which the vacancy has occurred. In addition to recommending names for posts at the level of under-secretary and above, these Boards also advise on proposals for extensions of tenure and selection of personnel for training programmes abroad. The Establishment Officer to the Government of India is the Secretary of the Senior Selection Board and Member Secretary of the Central Establishment Board.

As has already been mentioned elsewhere in the chapter, the officers in the central government, except those belonging to the Central Secretariat Service, are borrowed from the states and from the various cadre controlling authorities, the period varying from 3 to 5 years. Such a system of staffing leaves the central government completely unsure of the manpower available to it at a particular time to fill its officer level posts. Should it not have a corps of officers completely at its disposal, unaffected by the fluctuating operations of the tenure system? Accordingly, "in order to build up a reserve of officers with special training and experience for the purpose of economic administration and for maintaining continuity of knowledge and experience in the field of general administration", a Central Administrative Pool

was constituted in 1957. Starting with a strength of 120, the Pool was composed of officers of the IAS permanently seconded to the Pool, officers of the Central Civil Services permanently seconded to the Pool, Grade I officers of the Central Secretariat Service selected for the Pool, officers of State Services Class I, and persons with specialized qualifications directly recruited from the open market at higher age-levels. Most of the members of the Pool, however, came from the Indian Administrative Service. The most striking feature of the Pool was its exemption from the operation of the tenure system. The members of the Pool were retained at the centre for 'continuous service' and they were even given lien against the Pool's permanent strength. In 1972 the Pool was abolished, rather abruptly, and as a consequence, the tenure system has been resurrected, atleast theoretically, thus enveloping all levels of the government.

The Establishment Officer to the Government of India is a key figure in personnel administration. He is Secretary of the Appointments Committee of the Cabinet. He receives all communications intended for the Appointments Committee of the Cabinet, the Senior Selection Board, or the Central Establishment Board and communicates their orders to the ministries concerned, keeps himself informed of vacancies in senior posts and availability of suitable officers for them, ensures up-to-date maintenance and proper custody of confidential records of all officers, keeps himself in close touch with state governments, and other relevant ministries for the systematic planning and maintenance of supply of suitable officers for manning the "deputation" posts at the centre etc.

As the Appointments Committee of the Cabinet is of key importance, it may be worthwhile to examine its work. The following categories of appointments are required to be approved by this body :

Ministries	Appointments
Railways	<ol style="list-style-type: none"> <li>1. Chairman, Railway Board.</li> <li>2. Members and additional members of the Railway Board.</li> <li>3. Financial Commissioner for Railways.</li> <li>4. General Managers of Railways and equivalent appointments.</li> </ol>
External Affairs	<ol style="list-style-type: none"> <li>1. Secretariat appointments of and above the rank of deputy secretary.</li> <li>2. Field appointments above the rank of First Secretaries to Missions except appointments of ambassadors, heads of missions and other higher dignitaries.</li> </ol>
Defence	<ol style="list-style-type: none"> <li>1. Secretariat appointments of and above the rank of deputy secretary.</li> </ol>

**Ministries****Appointments**

2. Scientific Adviser to the Defence Minister.
3. Director General, Armed Forces Medical Services.
4. Appointments in state-owned public corporations companies and enterprises of:
  - (a) Chairman, Managing Directors and General Managers, salaried or otherwise; and
  - (b) Financial Advisers entitled to an ultimate monthly salary of Rs. 2,000 or above.
5. Other appointments in the state-owned public corporations, companies and enterprises carrying an ultimate monthly salary exceeding Rs. 2,250.
6. Senior appointments in the Army, Navy and Air Force.

**Department of Atomic Energy**

1. Secretariat appointments of and above the rank of deputy secretary.
2. Appointments in state-owned public corporations, companies and enterprises of:
  - (a) Chairman, Managing Directors and General Managers salaried or otherwise; and
  - (b) Financial Advisers entitled to an ultimate monthly salary of Rs. 2,000 or above.
3. Other appointments in the state-owned public corporations, companies and enterprises and appointments to technical and scientific posts carrying an ultimate salary exceeding Rs. 2,250 per month.
4. All other appointments which are made by the Government of India or carrying an ultimate monthly salary of Rs. 2,000 or above.

**All other ministries**

1. Secretariat appointments of and above the rank of deputy secretary.
2. Appointments in state-owned public corporations, companies and enterprises of:
  - (a) Chairman, Managing Directors and General Managers, salaried or otherwise, including the Governor and Deputy Governors of the Reserve Bank of India; and
  - (b) Financial Advisers entitled to an ultimate monthly salary of Rs. 2,000 or above.
3. Other appointments in the state-owned public corporations, companies and enterprises carrying an ultimate monthly salary exceeding Rs. 2,250.
4. All other appointments which are made by the Government of India or which require the approval of government and which carry an initial or ultimate monthly salary of Rs. 2,000 or above.

**Redressal of Employees' Grievances :** With the government emerging as the employer of a large work force, (indeed, the single largest force) the need for institutional attention to the redressal of employees' grievances becomes growingly compelling. Although the First

Pay Commission (1946-47) had recommended the setting up of a Whitley-type machinery for this purpose, it was only after the Second Pay Commission's Report, submitted in 1959 that the central government decided to bring such a mechanism into existence. This was done in 1966, the arrangement being known as the 'Scheme for Joint Consultative Machinery of Compulsory Arbitration for Central Government Employees'. It is a voluntary scheme and both the government and the staff associations participating in it are under an obligation to declare abjuration of agitational methods for redressal of grievances.

The Scheme provides for Joint Councils at the national, departmental, and regional or office levels, and covers most of the regular civil servants, but the members of Class I and II services<sup>20</sup> and police personnel have been excluded from its purview. Matters which these bodies may discuss are conditions of service and work, welfare of the employees, and improvement of efficiency and standards of work, "provided, however, that (i) in regard to recruitment, promotion and discipline, consultation will be limited to matters of general principles and (ii) individual cases will not be considered"<sup>21</sup>. The National Council deals with matters affecting the government employees generally such as pay of common categories of staff, allowances, etc., while the Departmental Councils and the Regional/Office Councils concern themselves with matters affecting only the employees in the ministries/departments concerned and with regional or local issues respectively. Though constituted hierarchically, these are separate and distinct bodies having little contact between them. The National Council consists of an official side and a staff side. The official side is appointed by the government and may consist of up to 25 members including the Cabinet Secretary and Secretaries in the Ministries of Home Affairs, Labour, Communications, Defence, Railways, and Finance. The staff side consists of up to 60 members to be nominated by the recognized associations. The Cabinet Secretary is the Chairman of the National Council. The Departmental Councils are also constituted on the same basis. The head of the ministry or department is included on the official side and is the Chairman of the Council. The membership of the official side varies from 5 to 10 and of the staff side from 20 to 30 depending on the total strength of the staff and the number of grades and services in the department. In 1975 there were 15 Departmental Councils although the Scheme envisages a total of 21 such bodies. The regional and office councils too are constituted in the same manner. The strength of a regional or

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20. An exception is the group of Central Secretariat Services.

21. *Scheme for Joint Consultative Machinery and Compulsory Arbitration for Central Government Employees*, New Delhi, 1971, p.5.

office council is determined by the size of the staff in a region or office and the head of the region or office is its Chairman.

The Scheme provides for compulsory arbitration in three matters—pay and allowances, weekly hours of work, and leave of a class or grade of employees. But the government enjoys veto in this respect; in case it refuses to refer a dispute to arbitration, it is to record the reasons in writing and lay them before each House of Parliament. By 1975, 82 cases were referred to the Board of Arbitration<sup>22</sup>, the latter's decisions being binding on both sides.

The notable features of these bodies are : (i) they have the 'official side' and 'staff side', the latter consisting of representatives of the staff associations; (ii) they discuss problems of general nature, the individual cases being scrupulously excluded; and (iii) their decisions must have the agreement of both sides. It must also be mentioned that the public personnel continue to enjoy the facility of making individual representations to the authorities to seek redressal of their grievances.

#### IV. Vigilance Machinery

Institutional attention towards the control and elimination of administrative corruption began to be given during World War II. In 1946, the Delhi Special Police Establishment was set up to investigate cases of corruption and bribery in the public services. A year later, the Prevention of Corruption Act was passed. In 1955, the Ministry of Home Affairs constituted an Administrative Vigilance Division to assume over-all responsibility for anti-corruption measures in government, to provide leadership in the governmental drive against corruption, and, finally, to ensure sustained and vigorous action by individual departments and ministries. As there have been particular allegations of widespread corruption in the Central Public Works Department, the Ministry of Works, Housing and Supply (as was its full nomenclature) constituted in 1957 a Chief Technical Examiner's Organization<sup>23</sup> (CTEO) charged with the task of securing economy in expenditure and better technical and financial control.

In 1962 the central government appointed a committee on Prevention of Corruption (its Chairman was K. Santhanam) to review the existing arrangements for checking corruption in the public ser-

22. *Report 1974-75*, New Delhi, Department of Personnel & Administrative Reform, 1975, p. 36.

23. The CTEO has since been transferred to the Central Vigilance Commissioner.

vices and to advise on practical steps to be taken to make anti-corruption measures more effective. In pursuance of the recommendations made by it, the central government set up, in February 1964, the Central Vigilance Commission (CVC) headed by the Chief Vigilance Commissioner.

The Central Vigilance Commission has jurisdiction and powers in respect of matters to which the executive powers of the central government extend. Its jurisdiction, thus, extends to all public servants including personnel in public undertakings, statutory corporations, port trusts and nationalized banks. For practical considerations, however, the Commission has decided to include only gazetted officers and officers of equivalent rank within its orbit. Its functions are as follows :

- (i) Undertaking an inquiry into any transaction in which a public servant is suspected or alleged to have acted for an improper purpose or in a corrupt manner.
- (ii) Causing an inquiry or investigation to be made into any complaint that a public servant had exercised or refrained from exercising his powers for improper or corrupt purposes, and any complaint of corruption, misconduct, lack of integrity or other kinds of malpractices or misdemeanour on the part of a public servant.
- (iii) Calling for reports from agencies so as to enable it to exercise general check and supervision over the vigilance and anti-corruption work in them.
- (iv) Taking over under its direct control complaints for further action which may be either, (a) to ask the Central Bureau of Investigation to register a regular case and investigate it, or (b) to enlist it for inquiry by the Central Bureau of Investigation or the agency concerned.
- (v) Initiating review of procedures and practices of administration in so far as they relate to maintenance of integrity in administration.

The Commission submits an annual report to the Department of Personnel and Administrative Reforms about its activities, drawing particular attention to any recommendation made by it which had not been accepted or acted upon. The report is placed before each House of Parliament.

The Central Vigilance Commission is headed by the Chief Vigilance Commissioner, who is appointed by the President by warrant under his hand and seal. He holds office for a term of six years or till he attains the age of 65 whichever is earlier. He cannot be removed or suspended from office except in the manner provided for the

removal or suspension of the Chairman or a member of the Union Public Service Commission. After retirement he cannot accept any further employment under the central government or the state government.

The Central Vigilance Commission has three wings, namely Main Office, Chief Technical Examiner's Organization and the offices of the Commissioners for Departmental Enquiries. The Central Bureau of Investigation (CBI) which is under the Ministry of Home Affairs, acts as the investigating agency of this body. In the case of railways, however, the CBI does not come into the picture at all, the investigation being the responsibility of local vigilance inspectors.

The Central Vigilance Commission owes its existence to an executive resolution. It is not a statutory body. Its functions are advisory, but "advisory in the same sense as those of the Public Service Commission."<sup>24</sup> "The independent and autonomous status of the Commission, its extensive power and jurisdiction and the fact that it indicates in its annual report the cases in which the administrative authorities have not accepted its advice make the Commission an effective instrument to ensure that all complaints of corruption or lack of integrity on the part of public service are given adequate and due attention."<sup>25</sup>

In addition to a centralized but separate vigilance machinery, ministries and other subordinate formations have each a built in organization to look into cases of corruption within their spheres of functions. Each ministry has a Chief Vigilance Officer who directly reports to the Secretary. A deputy secretary is normally appointed as the Chief Vigilance Officer but with the concurrence of the Central Vigilance Commission. Attached and subordinate offices have each a Vigilance Officer appointed in consultation with the Chief Vigilance Officer of the administrative ministry.

## V. Financial Administration

All undertakings, observed Kautilya (4th century B.C.), depend upon finance, and this is no less true of the central government. In India financial administration is characterized by the following fundamental principles : (i) no tax can be levied or collected except by authority of law ; (ii) no expenditure can be incurred from out of public funds except in the manner provided in the Constitution, and

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24. *First Annual Report of the Central Vigilance Commission*, New Delhi, 1964-65, p. 4.

25. *Ibid.*

in accordance with law, *i.e.*, unless it has been sanctioned by Parliament ; (iii) the executive is bound to spend the money in the manner as sanctioned by Parliament ; (iv) no demand for a grant shall be made except on the recommendation of the President ; and (v) while the Lok Sabha enjoys the constitutional power to assent, or to refuse to assent, to a demand for grant, or to assent to any demand subject to a reduction of the amount specified therein, it is precluded from raising the amount of the grant.

Article 112 of the Constitution obliges the President to have for each financial year a statement of the estimated receipts and expenditure of the Government of India laid before both the Houses of Parliament for that year. This is the annual financial statement—popularly known as the budget. The stages involved in the enactment of the budget are—(i) the preparation of the budget by the Ministry of Finance, of course, in collaboration with the other ministries of the government, (ii) presentation of the budget to Parliament, (iii) general discussion on the budget in Parliament, (iv) voting of demands for grants, (v) passing of the necessary Appropriation Bill, and (vi) passing of the taxation proposals, that is, the Finance Bill. The main items of central taxation are : income tax, super tax, corporation tax, gift tax, wealth tax, estate duty, and customs and union excise duties. The financial year in India begins on April 1 and ends on March 31, and the budget is normally presented to Parliament on the latter date. To pass the budget (among its other activities), the Parliament sits in a long session, lasting ordinarily from mid-February till mid-May, which is known as the budget session of the Parliament. It needs to be noted that the voting of demands for grants is the exclusive privilege of the Lok Sabha. In the passing of the Finance Bill, the Rajya Sabha is obliged to give its concurrence, with or without any recommendation, within 14 days. The Lok Sabha may accept or reject any or all of these recommendations. But the Finance Bill does not again go to the Upper Chamber—it is submitted to the President for assent. Powers of the Rajya Sabha are thus restricted in financial matters.

Effective parliamentary control over public expenditure requires that the Parliament satisfies itself that appropriations have been utilized for the approved purposes within the framework of the grants, and secondly, it undertakes an examination of the budget estimates with a view to suggesting economies in the implementation of plans and programmes embodied therein. The first function is performed by Parliament's Public Accounts Committee and the second one by its Estimates Committee. The former committee, consisting of 22 members drawn from both the Houses, examines the reports of the Comptroller and Auditor General to ensure that the money voted by Parlia-



ment has actually been utilized by the government 'within the scope of the demand'. The Estimates Committee, consisting of 30 members, all belonging to the Lok Sabha, reports what economies, improvements in organization, efficiency and administrative reform, consistent with the policy underlying in the estimates may be effected and even suggests alternative policies in order to bring about efficiency and economy in administration.

## VI. Control over Administration

It is axiomatic in a parliamentary democracy, that public administration is kept continually accountable for its actions. This aspect of control acquires enormous significance in the face of unceasing expansion and intensification of governmental functions and consequent increasing dependence of the citizens on public functionaries. In addition to the routine control exercised over public functionaries through the hierarchical avenues, visits, inspections, reports, returns, etc., they are at the same time subject to the control of the political executive, the legislature and the judiciary. The political executive exercises control over public administration by laying down policies and programmes for execution, by its rule-making powers, by its power of appointment, transfer, promotion, disciplinary action etc. in regard to public personnel, by allocation of funds to various activities, by acting as some sort of a court of appeal in regard to complaints against civil servants, etc. The legislative ambit covers the whole of public administration at least theoretically, and in addition to the control, particularly financial one, exercisable through its committees (such as Public Accounts Committee, the Estimates Committee, the Committee on Subordinate Legislation, etc.). Parliament keeps public administration accountable to it by voting the budget for its use as well as through debates and discussions and through the mechanism of parliamentary interpellations. Audit of public expenditure is another powerful tool of parliamentary control over public administration. The public administration of the country is kept under the control of the judiciary too. By pronouncing upon the legality or otherwise of administrative actions it protects the citizens whenever their constitutional or statutory rights are encroached upon by administrative actions. Specifically speaking, public administration incurs judicial wrath if it abuses its power, lacks jurisdiction or commits procedural error or error of law or in fact finding. In addition to these, there are extraordinary methods of judicial review of administrative actions such as writs of *habeas corpus*, *mandamus*, *certiorari*, *quo warranto* and prohibition.

### VII. Administrative Reforms

Mention should also be made of the need felt in regard to the reform of public administration with a view to keeping it as an efficient instrument for the performance of an ever-widening range of tasks. There was a simultaneous need for creating and continually raising administrative capabilities of a wide sort as well as for inculcating in the public service proper 'behavioural' and 'attitudinal' orientations towards 'we, the people of India'—their ultimate masters. The government has been engaged in this quest for technical-cum-social efficiency in administration ever since independence though without any exalted degree of success. This is testified by a series of committees and commissions it has set up. All this is in addition to the creation of a permanent machinery specifically to address itself to questions of improvement in public administration. This is the Organization and Methods (O and M) Division first set up in 1954 and located in the Cabinet Secretariat. In 1964 the O and M Division was made part of a larger department, known as the Department of Administrative Reforms, which was constituted to identify crucial problems in public administration and initiate studies in respect of them, examine the organization and procedures of work in departments in order to eliminate corruption in the administrative system and devise a machinery for redress of citizens' grievances. The two separate Departments of Personnel and of Administrative Reforms were merged in 1972 to constitute the Department of Personnel and Administrative Reforms under the Cabinet Secretariat.

It is not possible within the ambit of the present chapter to give any detailed account of the work done by committees on administrative reforms. But a brief mention of the recommendations made by them may be helpful in providing a broad insight into the range, intensity and enormity of this business of the government. The committees on administrative reforms set up since 1947 are given below along with the names of the Chairmen :

1. Reorganization of Central Government (Richard Tottenham) 1946. (This Report is significant in understanding independent India's public administration; hence its enumeration here).
2. Secretariat Reorganization Committee (Girja Shankar Bajpai), 1947.
3. Central Pay Commission (Srinivasa Varadachariar), 1947.
4. Economy Committee (Kasturbhai Lalbhai), 1948.
5. Reorganization of the Machinery of Government (N. Gopalaswami Ayyangar), 1949.

6. Report on Public Administration (A.D. Gorwala), 1951.
7. Report on the Efficient Conduct of State Enterprises (A. D. Gorwala), 1951.
8. The Machinery of Government—Improvement of Efficiency (R. A. Gopalaswami), 1952.
9. Public Administration in India—Report of a Survey (Paul H. Appleby), 1953.
10. Notes on Changes necessary in system of Budgetary and Financial Control (Asoka Chanda), 1954.
11. Re-examination of India's Administrative System with Special reference to Administration of Government's industrial and Commercial Enterprises (Paul H. Appleby), 1956.
12. Railway Corruption Enquiry Committee, (J. B. Kriplani), 1955.
13. Public Services (Qualifications for Recruitment) Committee (A. Ramaswami Mudaliar), 1956.
14. Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees (Jagannadha Das), 1959.
15. Staff Welfare Review Committee (Fatch Singh), 1961.
16. Report on Indian and State Administrative Services and Problems of District Administration (V. T. Krishnamachari), 1952.
17. Committee on Prevention of Corruption (K. Santhanam), 1964.
18. The Administrative Reforms Commission, (Morarji Desai, later K. Hanumanthaiya), 1970.
19. The Third Central Pay Commission, (Raghubar Dayal), 1973.

In the Report on Reorganization of Central Government (1946) Sir Richard Tottenham anticipated a radically new role of the government in the post-Second World War period. He considered it desirable "to renounce the old conception of government as a regulatory, policing and taxing mechanism, and openly to adopt the conception of government as the nation's common instrument for expanding its social and economic welfare in all those spheres where individuals or private associations cannot achieve equally effective results."<sup>26</sup> Sir Richard recommended revision of relations between the Finance Department and the spending departments with a view to placing greater financial responsibility on the latter, liberal delegation of powers to heads of executive organizations, operation of the tenure system upto

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26. Maheshwari, S.R., *The Evolution of Indian Administration*, Agra, 1970, p.162.

15 or 20 years of service of an officer, and abolition of the distinction between the attached and subordinate offices.

The Secretariat Reorganization Committee (1947) called for the induction of provincial civil service personnel in the central secretariat and reorganization of procedures of work in the latter. The First Pay Commission (1947) laid stress on the need for an administrative machinery for negotiation and settlement of disputes between the government and its employees with regard to their conditions of service. The Economy Committee (1948) cautioned the government against taking up grandiose plans and schemes without giving full consideration to the availability of personnel, material, and money. It, moreover, recommended abolition of the post of additional secretary in the government and transfer of government offices out of Delhi.

N. Gopalaswami Ayyangar highlighted in his Report on Reorganization of the Machinery of Government (1949) the need for organizational and procedural reforms in the secretariat with a view to effective coordination in the framing of policies and greater speed and efficiency in their execution. To achieve these purposes, Ayyangar put forward a basic plan of reorganization. According to it the secretariat was to be divided into 37 primary units consisting of 28 departments, 8 central administrative offices and a Cabinet Secretariat. The 28 departments were to be accommodated in 28 ministries out of which 13, responsible for economic and social services, were to be bunched into 4 bureaux—Bureau of National Resources and Agriculture, Bureau of Industry and Commerce, Bureau of Transport and Communications, and Bureau of Labour and Social Services. The proposal for increasing the number of departments to 28 was based on two postulates: "first that each department should constitute a clearly manageable charge for one secretary, and secondly that the responsibility of the secretary as the head of the department should be complete and undivided. (This involves the consequence that additional secretaries should be abolished and joint secretaries retained only in circumstances in which they are indispensably necessary.)"<sup>27</sup> Further, the Cabinet was to be strengthened by the setting up of its standing committees. Ayyangar also recommended the constitution of an O & M Division to promote efficiency in public administration by reorganization of public establishments and methods of transaction of public business.

In the Report on Public Administration (1951) A. D. Gorwala stressed the supreme necessity of high moral standards on the part of Ministers, legislators and civil servants, for any deviation from them was apt to vitiate public policy, weaken administration and undermine

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27. *Report on Reorganisation of the Machinery of Government*, New Delhi, 1949, p. 12.

public confidence. He warned against the danger of planning ahead of men and finance, and, in addition, called for rationalization of relationship between the Finance Ministry and the spending ministries as also between the secretariat and the head of department. In the Report on the Efficient Conduct of State Enterprises (1951) Gorwala pleaded, among others, for the introduction of 'scientific management' in public undertakings. R. A. Gopalaswami in the memorandum on 'The Machinery of Government—Improvement of Efficiency' (1952) analysed the growth and development of public administration since 1939 and provided answers to questions such as what forces impinged on the machinery of government since World War II and why; how its work-load increased over this period; what setbacks the staffing system suffered from, what were the various proposals for reform that were mooted, etc.

Pal H. Appleby in the *Public Administration in India : Report of a Survey* (1953), regarded the Government of India as 'among the dozen or so most advanced governments of the world' and recommended :

- (i) Establishment of an Organization and Management or Public Administration office in the central government ; (ii) government sponsorship of an Institute of Public Administration for India ; (iii) development of academic graduate programmes in public administration ; (iv) creation of more middle grade personnel in the country's public administration ; (v) diversification of criteria for selection, especially emphasizing the bent for action ; (vi) establishment of personnel development programmes ; and (vii) establishment of adequate methods of checking on action during and after the fact.<sup>28</sup>

The central government accepted the first two recommendations made by Appleby. The O & M Division was as a result set up in 1954 and a year later the Indian Institute of Public Administration was born.

In 1954 A. K. Chanda submitted the 'Notes on Changes Necessary in System of Budgetary and Financial Control and in other Matters to eliminate delays in execution of Projects' in which he recommended greater measure of delegation of powers, creation of more all-India services, adoption of officer-oriented system of functioning, constitution of a common civil service divided vertically into departments to provide for specialized training in the different spheres of governmental activity, etc.

28. Appleby, Paul H : *Public Administration in India : Report of a Survey*, New Delhi, 1953 ; pp. 8 and 13—14.

In his second Report, (1956) Appleby criticized the systems of audit and the Comptroller and Auditor-General and de-emphasized the latter's role in public administration. He also wanted the Ministry of Finance to shift more of its attention to better budgeting. As to public undertakings he felt that failure to delegate powers, too much doctrinaire and conventional thinking about pay differentials, lack of incentive to earn public approbation, too heavy work with the directors, etc. have all impeded their growth.

According to the Railway Corruption Enquiry Committee (1955), the most effective remedy against corruption lay in reducing the disparity between the highest and the lowest paid salaries in the public services. The Public Services (Qualifications for Recruitment) Committee (1956), set up to pronounce on the educational qualifications to be prescribed for purposes of public employment was not unanimous in its recommendations. While the majority report stood for the retention of a university degree as an essential qualification for appointments to the all-India services and central services (Class I), the minority one recommended altogether dispensing with the requirement of a degree for employment in government. The Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees, also called the Second Pay Commission (1959), visualized a broadening of the base of recruitment to the higher civil service by recommending that the members of Class II and Class III services should be permitted to compete for the all-India services and the central services (Class I) through an internal competitive examination. It also favoured the setting up of joint consultative machinery for resolving disputes between the government and its employees.

In the Report on Indian and State Administrative Service and Problems of District Administration (1962), V.T. Krishnamachari made the following major recommendations : (i) Rural development should be made a compulsory subject of study in the foundational training course for recruits to the Indian Administrative Service ; (ii) the period of practical training for the IAS probationers should be fixed at 18 months and they should be posted for this training under carefully selected district collectors who should send regular reports on the work done by them and their competence ; (iii) a member of the Indian Administrative Service should be given the charge of a district only towards the end of the sixth or in the seventh year of service; (iv) Direct recruitments (in the State Administrative Service) have been irregular in the past and in some States they had been kept in abeyance for as long as 15 to 20 years. It is recommended that all State Governments should amend their rules to enable a minimum of 50 per cent of the posts in the State Civil Service (Class I) and 50

per cent of the posts in the State Civil Service (Class II) to be recruited by competitive examination held by the State Public Service Commission"<sup>29</sup>; and (v) frequent transfers of functionaries in district administration and *panchayati raj* institutions should be put an end to, and touring by field personnel in the rural areas should be made more regular and intensive.

The Committee on Prevention of Corruption (1964) strove to ensure integrity in public administration of the country, and to this end it recommended the setting up of a Central Vigilance Commission to probe into cases of corruption against civil servants and also a machinery to examine allegations of corruption made against Ministers.

The Administrative Reforms Commission which the central government set up in 1956 and which functioned till the middle of 1970, made what may indisputably be regarded as the most comprehensive investigation into and reporting on the public administration of the country since India attained independence. It submitted 19 Reports on different segments of public administration in which it made no fewer than 581 recommendations. But its Report on Personnel Administration ranks as its weightiest, and its chapter III entitled 'An Outline for Reform: Need for Specialisation' running into 15 pages constitutes, so to say, its heart. The Commission was determined to open the road to the top to every competent public personnel. To higher positions in the secretariat, talent must be drawn from every cadre and class of personnel. Accordingly, it envisaged entry into the middle and senior management levels in that apex level organization from all services. Where regularly constituted services already exist to attend to specific functions, the middle and senior level posts in the corresponding areas in the secretariat should normally be manned by the members of the concerned functional service. In non-functional areas, however, the middle level personnel were to be drawn, through a mid-career competitive examination, from all sources on the basis of equal opportunities for all. They were required to acquire knowledge of and experience in one of the following 8 areas of specialization at headquarters of the government: economic administration, industrial administration, agricultural and rural development administration, social and educational administration, personnel administration, financial administration, defence administration and internal security, and planning. In addition to the 'road to the top' recommendation, the Commission also made definite proposals on unified grading structure, recruitment agencies, training, promotion policy, conduct and discipline, conditions

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29. *Report on Indian and State Administrative Services and Problems of District Administration*, Delhi, 1962, p. 29.

of service, etc.

The Third Pay Commission (1973) recommended the adoption of the 'desk officer system' (another name for officer-oriented system) of functioning in the secretariat, strengthening of the Department of Administrative Reforms, Staff Inspection Unit, and Organization and Methods and Internal Finance branches in each ministry, enforcement of pooled messenger system in government offices in preference to the existing peon system and, above all, curb on proliferation of public personnel by drastic curtailment of fresh recruitment.

### Conclusion

The story of public administration in India has been one of slow flux since independence. The administrative system which was taken over from the British continued to hold sway in spite of much that was wanting in it in the wake of the traumatic changes that occurred after 1947 and much that was said against it. The basic criticism about a wooden and cut-model bureaucracy made since the time of Lord Curzon three quarters of a century ago has been repeated off and on even by those concerned directly with the shaping of administrative policy. It has been rightly held that a regulatory system must give place to a dynamic development oriented administration, replacing red-tape with flexibility and injecting initiative where there was not much of it under the British Raj. Implicit in this was not merely a change in the recruitment and training policy but also in procedures which, in the past, were inspired, more than anything else, by caution resulting in a virtual maintenance of the *status quo* and slow decision-making. The apparent conflict between the urgent needs of rapid development in all spheres of life and the old attributes of an over-cautious bureaucracy does not seem to have been resolved. True, there has been delegation of powers at all levels, particularly in regard to matters of financial control. Improvement has been slow but perceptible and effective, and financial advisers have been attached to ministries to help take speedy decisions on behalf of the Ministry of Finance. Side by side, a gradual devolution of administrative powers to the ministries—where these were once concentrated in the Ministries of Home Affairs and Finance—and the attached and subordinate offices has taken place. These processes have speeded up decision-making, made civil servants at the implementing levels feel more responsible and generally helped to tone up administration. Naturally, the administrative sub-culture tends to be cautious, undoubtedly because it is steeped in a system successfully practised, though in a characteristically different *milieu*, and



appears to fight shy of dramatic changes in the machinery of government and its procedures of work. The Administrative Reforms Commission itself, which many people thought would come out with recommendations and suggestions of a far-reaching character and usher in a new administrative era, did really no more than tinker at the multitudinous problems, and for serious students of public administration its compendious reports, the result, no doubt, of much serious and purposeful labour, really constitutes an exercise on the administrative periphery, as it were.

The concern of this chapter is with administration in the central government. Yet, it is necessary to emphasize that Indian public administration is a complex integrated system. The central public administration is designed essentially for coordination (except in the fields of defence, external relations, railways, communications, revenue collections, etc.), and administration, in the true sense of the term, falls largely in the state field. Education, public health, family planning, agriculture, cooperation, community development, *panchayat raj* and the local government, housing and water-supply—these and other activities really fall within the sphere of the states though vast establishments at the centre exist to lay down policies, provide funds and offer guidance. The expected change can take place only if the states mobilize their resources and bestir themselves for action. In this respect the autonomy of the states need be no anathema in this composite picture. The Planning Commission, National Development Council, political parties, etc. provide a strong leaven.

Finally, it would be apposite to mention before concluding the chapter that during recent years growing emphasis is being laid by the government on “management” as contradistinguished from “administration”. The idea obviously has the laudable objective of making administrative action solution or result oriented. The trend, whether necessary on purely academic grounds or not, is in line with contemporary thinking and practice, and even a presentation and adoption of new techniques the basic elements of which were perhaps already present in the old concepts, would tend to animate thought and action in the field of public administration. It is also true that in certain categories of activities, particularly of purely technical nature, the techniques of modern management can help produce effective gains and as a result of this realization the principles and techniques of modern management are finding a place in the in-service training of public personnel—even of the non-technical categories.

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**ANNEXURE I****ATTACHED OFFICES (AS IN 1973)*****Ministry of Education and Social Welfare***

1. Archaeological Survey of India.
2. Office of the Commissioner for Scheduled Castes and Scheduled Tribes.

***Ministry of Finance***

3. Office of the National Savings Commissioner.
4. Directorate of Inspection (Income-tax).
5. Directorate of Inspection (Research, Statistics and Publication).
6. Directorate of Inspection (Investigation).
7. Directorate of Inspection (Customs and Central Excise).
8. Office of the Controller of Insurance.
9. Directorate of Training (Customs and Central Excise).
10. Directorate of Emergency Risks Insurance Scheme.
11. Central Excise (Self-removal Procedure) Review Committee.

***Ministry of Food and Agriculture***

12. Directorate of Economics and Statistics.
13. Directorate of Marketing and Inspection.
14. Indian Council of Agricultural Research.
15. Directorate of Plant Protection, Quarantine and Storage.
16. Directorate of Sugar and Vanaspati.

***Ministry of Foreign Trade***

17. Office of the Chief Controller of Imports and Exports.
18. All-India Handicrafts Board.

***Ministry of Health and Family Planning***

19. Directorate General of Health Services.

***Ministry of Home Affairs***

20. Intelligence Bureau.  
21. Office of the Registrar General of India.  
22. Directorate General, Border Security Forces.  
23. Directorate General, Central Reserve Police.

***Ministry of Industrial Development and Internal Trade***

24. Directorate General of Technical Development.  
25. Office of the Development Commissioner, Small Scale Industries.  
26. Office of the Economic Adviser.  
27. Research and Development Organisation for Electrical Industry.  
28. Office of the Salt Commissioner.

***Ministry of Information and Broadcasting***

29. Directorate General, All India Radio.  
30. Press Information Bureau.  
31. Publications Division.  
32. Directorate of Advertising and Visual Publicity.

***Ministry of Irrigation and Power***

33. Central Water and Power Commission.

***Ministry of Labour and Rehabilitation***

34. Directorate General of Employment and Training.  
35. Office of the Chief Labour Commissioner.  
36. Directorate General, Factory Advice Service and Labour Institutes.  
37. Office of the Director, Labour Bureau.

***Ministry of Law and Justice***

38. Central Agency Section.

39. Law Commission.
40. Branch Secretariat, Ministry of Law and Justice, Bombay.
41. Branch Secretariat, Ministry of Law and Justice, Calcutta.
42. Branch Secretariat, Ministry of Law and Justice, Madras.

*Ministry of Railways (Railway Board)*

43. Research, Design and Standards Organisation.
44. Office of the Railway Liaison Officer with the Directorate General of Supplies and Disposals.

*Ministry of Tourism and Civil Aviation*

45. Directorate General, Civil Aviation.
46. Department of Tourism.

*Ministry of Works and Housing*

47. Central Public Works Department.
48. Directorate of Estates.
49. Office of the Chief Controller of Printing and Stationery.
50. National Buildings Organisation.

*Ministry of Communications*

51. Directorate General Posts and Telegraphs (P&T Board).

*Ministry of Steel and Mines*

52. Office of the Iron and Steel Controller.

*Cabinet Secretariat*

53. Central Statistical Organisation.
54. Industrial Statistics Wing, Central Statistical Organization.
55. Computer Centre.
56. National Academy of Administration.
57. Central Bureau of Investigation.
58. Institute of Secretariat Training and Management.
59. Central Vigilance Commission.
60. Directorate of Enforcement.
61. Directorate of Revenue Intelligence.

***Department of Supply***

- 62. Directorate General of Supplies and Disposals.
  - 63. Office of the Senior Pay and Accounts Officer.
  - 64. Directorate of National Test House.
  - 65. India Supply Mission, UK.
  - 66. India Supply Mission, USA.
  - 67. Office of the Chief Accounts Officer, India Supply Mission, USA.
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## ANNEXURE II

## SUBORDINATE OFFICES (As in 1973)

*Ministry of Education and Social Welfare*

1. National Archives of India, New Delhi.
2. Central Institute of Indian Languages, Mysore.
3. Central Hindi Directorate, New Delhi.
4. National Staff College for Educational Planners and Administrators, New Delhi.
5. National Gallery of Modern Art, New Delhi.
6. Indian War Memorial Museum, Delhi.
7. National Museum, New Delhi.
8. National Library, Calcutta.
9. Central Reference Library, Calcutta.
10. Anthropological Survey of India, Calcutta.
11. Indian School of Mines, Bihar.
12. Office of the Surveyor General, Survey of India, Dehradun.
13. Zoological Survey of India, Calcutta.
14. Botanical Survey of India, Calcutta.
15. National Atlas Organisation, Calcutta.
16. Office of the Assistant Educational Adviser, Calcutta.
17. Office of the Deputy Educational Adviser, Bombay.
18. Southern Regional Office, Madras.
19. Office of the Deputy Educational Adviser, Kanpur.
20. Directorate of Practical Training, Bihar.
21. Central Braille Press, Dehradun.
22. Model School for Blind Children, Dehradun.
23. Training Centre for the Adult Blind, Dehradun.
24. Training Centre for the Adult Deaf, Hyderabad.
25. Model School for the Mentally Deficient Children, New Delhi.
26. Social Welfare and Rehabilitation Directorate, New Delhi.
27. Central Bureau of Correctional Services, New Delhi.
28. Directorate General, Backward Classes Welfare, New Delhi.

*Ministry of External Affairs*

29. The Central Passport and Emigration Organisation, Delhi,

Lucknow, Calcutta, Madras, Bombay.

30. External Affairs Hostel, New Delhi.

### *Ministry of Finance*

31. India Security Press, Nasik Road.
32. Security Paper Mill, Hoshangabad.
33. Bank Note Press, Dewas.
34. India Government Mint, Bombay, Calcutta and Hyderabad.
35. Offices of the Regional Directors, National Savings in the various states.
36. Assay Department, Bombay, Calcutta.
37. Silver Refinery, Calcutta.
38. Rehabilitation Finance Administration Unit, New Delhi.
39. Office of the Controller General, Defence Accounts, New Delhi.
40. Offices of the Commissioners of Income Tax, Delhi, Hyderabad, Shillong, Patna, Bombay, Ahmedabad, Cochin, Bhopal, Nagpur, Madras, Bangalore, Bhubaneshwar, Poona, Patiala, Jaipur, Lucknow, Kanpur, Calcutta.
41. Office of the Narcotics Commissioner of India, Gwalior.
42. Regional Office of the Gold Control Administrator, Bombay.
43. Custom Houses at Bombay, Calcutta, Madras, Cochin, Pondicherry, Goa, Vishakhapatnam, Kandla.
44. The Collectorates of Central Excise, Allahabad, Bombay, Madras, Calcutta, Delhi, Hyderabad, Nagpur, Patna, Shillong, Poona, Kanpur, Bangalore, Ahmedabad, Guntur, Chandigarh, Madurai.
45. Statistics and Intelligence Branch (Central Excise), New Delhi.
46. Central Revenues Control Laboratory, New Delhi.
47. Directorate of Training, Indian Revenue Service (Direct Taxes), Nagpur.

### *Ministry of Food and Agriculture*

48. Directorate of Extension, New Delhi.
49. Extension Education Institute, Nilokheri.
50. Exploratory Tubewells Organisation, New Delhi.
51. Tractor Training and Testing Station, Budni.
52. Tractor Training Centre, Hissar.
53. Delhi Zoological Park, New Delhi.
54. Indian Agricultural Research Institute, New Delhi.
55. Central Potato Research Institute, Simla.

56. Central Rice Research Institute, Cuttack.
57. National Dairy, Research Institute, Karnal.
58. Indian Veterinary Research Institute, Izatnagar and Mukteswar.
59. Forest Research Institute and Colleges, Dehradun, and Southern Forest Rangers College, Coimbatore.
60. Logging Training Centres, Dehradun.
61. Pre-investment Survey of Forest Resources, New Delhi.
62. Central Mechanised Farm, Jetsar.
63. Central Mechanised Farm, Suratgarh.
64. Regional Poultry Farms, Delhi, Kamlahi, Hessarghatta, Bhubaneshwar, Bombay.
65. Soil Conservation Research Demonstration and Training Centres, Jodhpur.
66. Office of the Agricultural Attache, Embassy of India, Rome.
67. Delhi Milk Scheme, New Delhi.
68. Agricultural Prices Commission, New Delhi.
69. National Sugar Institute, Kanpur.
70. Offices of the Regional Directors/Joint Directors (Food), Bombay, Calcutta, Madras and New Delhi.
71. Office of the Desert Development Board, Jaipur.
72. Grain Storage Research and Training Centre, Hapur.
73. Central Institute of Fisheries Operatives, Ernakulam.
74. Regional Training Centres for Inland Fisheries Operatives, Hyderabad and Agra.
75. The Deep Sea Fishing Station, Bombay.
76. Indo-Norwegian Project, Ernakulam.
77. The Central Off-shore Fishing Station, Cochin, Tuticorin, Visakhapatnam.
78. Pre-investment Survey for Fishing Harbours Project, Bangalore.
79. Inland Fisheries Training Unit, Barrackpore.
80. The Central Institute of Fisheries Education, Bombay.
81. Regional Office, Sugarcane Development, New Delhi.
82. Regional Office, Cotton Development, Bombay.
83. Regional Office, Oilseeds Development, Hyderabad.
84. Regional Office, Jute Development, Calcutta.
85. Regional Office, Tobacco Development, Madras.
86. Regional Office, Cashewnut Development, Kozhikode.
87. Regional Office, Lac Development, Ranchi.
88. Regional Office, Coconut Development, Ernakulam.
89. Regional Office, Arecanut and Spices Development, Kozhikode.



90. Office of the Food Attache, Embassy of India, Rangoon.
91. Pay and Accounts Offices, Ministry of Food and Agriculture, New Delhi, Bombay, Calcutta and Madras.
92. National Institute of Community Development, Hyderabad.
93. Orientation and Study Centres at Nilokheri, Hyderabad, Ranchi, Lucknow, Udaipur, Mysore, Jabalpur, Junagarh, Kalyani, Bhubaneshwar and Poona.
94. Social Education Organisers' Training Centres at 13 centres throughout the country.
95. Tribal Orientation and Study Centres at Ranchi, Udaipur, Jabalpur and Bhubaneshwar.

### *Ministry of Foreign Trade*

96. Office of the Textile Commissioner, Bombay.
97. Department of Commercial Intelligence and Statistics, Calcutta.
98. Office of the Controller of Enemy Trading and Enemy Firm and Custodian of Enemy Property, Bombay.
99. Tariff Commission, Bombay.
100. Office of the Jute Commissioner, Calcutta.
101. Central Sericultural Research Station, Berhampore.
102. All-India Handloom Board, Bombay.
103. Office of the Administrator, Kandla Free Trade Zone, Gandhidham.
104. Office of the Officer on Special Duty, Rural Craft Development Organisation, Bangalore.

### *Ministry of Health and Family Planning*

105. All-India Institute of Hygiene and Public Health, Calcutta.
106. National Institute for Communicable Diseases, Delhi.
107. Central Research Institute, Kasauli.
108. Office of the Serologist and Chemical Examiner to the Government of India, Calcutta.
109. Hospital for Mental Diseases, Ranchi.
110. Seaport and Airport Health Organisation :

### *Seaports*

- (a) Bombay
- (b) Calcutta
- (c) Madras

- (d) Cochin
- (e) Visakhapatnam
- (f) Kandla

*Airports*

- (a) Bombay—Santa Cruz.
  - (b) Calcutta—Dum Dum.
  - (c) Delhi—Palam.
  - (d) Madras—Meenambakkam.
  - (e) Tiruchirapalli.
- 111.. Medical Stores Organisation with administrative office in Delhi and Depots at Bombay, Madras, Calcutta, Hyderabad, Gauhati and Karnal.
  112. BCG Vaccine Laboratory, Guindy, Madras.
  113. The Vikas Research Centre, Poona.
  114. College of Nursing, New Delhi.
  115. All-India Institute of Mental Health, Bangalore.
  116. The Central Leprosy Teaching and Research Institute, Chingleput.
  117. Medical College, Pondicherry.
  118. Lady Reading Health School and Ram Chand Lohia Infant Welfare Centre, Delhi.
  119. Lady Hardinge Medical College and Hospital, Delhi.
  120. Kalavati Saran Children's Hospital, New Delhi.
  121. Safdarjang Hospital, New Delhi.
  122. Maulana Azad Medical College, New Delhi.
  123. Central Food Laboratory, Calcutta.
  124. Central Drugs Standard Control Organisation, New Delhi.
  125. Willingdon Hospital and Nursing Home, New Delhi.
  126. The Central Drugs Laboratory, Calcutta.
  127. Central Indian Pharmacopoeia Laboratory, Ghaziabad.
  128. National Tuberculosis Institute, Bangalore.
  129. All-India Institute of Physical Medicine and Rehabilitation, Bombay.
  130. Rural Health Training Centre, Najafgarh.
  131. Institute of Ayurvedic Studies and Research, Jamnagar.
  132. Office of the Director, National Malaria Eradication Programme, New Delhi.
  133. National Trachoma Control Project, New Delhi.
  134. Model Vital and Health Statistics Unit, Nagpur.
  135. Office of the Director, Leprosy Control Work, Ghaziabad.

136. All-India Institute of Speech and Hearing, Mysore.
137. Post-Graduate Institute of Medical Education and Research, Chandigarh.

### *Ministry of Home Affairs*

138. Office of the Director, Coordination, (Police Wireless), New Delhi.
139. National Police Academy, Hyderabad.
140. Office of the Director, National Fire Service College, Nagpur.
141. Office of the Director, National Civil Defence College, Nagpur.
142. Office of the Regional Registration Officer, Madras.
143. Office of the Inspector-General, Indo-Tibetan Border Police, New Delhi.
144. Civil Mobile Emergency Force, New Delhi.
145. Central Industrial Security Force, New Delhi.
146. Zonal Council Secretariat, New Delhi.
147. Office of the Commissioner for Linguistic Minorities, Allahabad.
148. Office of the Regional Office (Eastern, Western, Southern, Northern and Central).
149. Director, DHANICS.
150. Central Translation Bureau, New Delhi.

### *Ministry of Industrial Development*

151. Office of the Controller General of Patents, Designs and Trade Marks, Bombay.
152. Integrated Training Centres of Extension Officers (Industries), Hyderabad and Nilokheri.
153. Department of Explosives, Nagpur.
154. Forward Markets Commission, Bombay.

### *Ministry of Information and Broadcasting*

155. Research and Reference Division, New Delhi.
156. Films Division, Bombay.
157. Central Board of Films Censors, Bombay.
158. Film Institute of India, Poona.
159. National Film Archives of India, Poona.
160. Directorate of Field Publicity, New Delhi.

161. Song and Drama Division, New Delhi.
162. Office of the Registrar of Newspapers for India, New Delhi.
163. Photo Division, New Delhi.
164. Office of the Chief Press Adviser (Press Advising Unit), New Delhi.

*Ministry of Irrigation and Power*

165. Chambal Control Board, New Delhi.
166. Ganga Discharge Circle, New Delhi.
167. Farakka Barrage Control Board, New Delhi.
168. Farakka Barrage Project, Murshidabad.

*Ministry of Labour and Rehabilitation*

169. Office of the Director General of Mines Safety, Dhanbad.
170. Office of the Coal Mines Welfare Commissioner, Dhanbad.
171. Office of the Welfare Commissioner, Mica Mines Labour Welfare Fund, Dhanbad.
172. Office of the Chairman, Mica Mines Labour Welfare Fund Advisory Committee for Andhra Pradesh, Nellore.
173. Office of the Chairman, Mica Mines Labour Welfare Fund Advisory Committee for Rajasthan, Jaipur.
174. Office of the Chairman, Iron Ore Mines Labour Welfare Fund Advisory Committee for Andhra Pradesh and Mysore, Bangalore.
175. Office of the Chairman, Iron Ore Mines Labour Welfare Fund Advisory Committee for Bihar, Patna.
176. Office of the Chairman, Iron Ore Mines Labour Welfare Fund Advisory Committee for Madhya Pradesh and Maharashtra, Indore.
177. Office of the Chairman, Iron Ore Mines Labour Welfare Fund Advisory Committee for Goa, Daman and Diu.
178. Office of the Chairman, Iron Ore Mines Labour Welfare Fund Advisory Committee for Orissa, Bhubaneswar.
179. Office of the Iron Ore Mines Cess Commissioner for Andhra Pradesh, Hyderabad.
180. Office of the Iron Ore Mines Cess Commissioner for Orissa, Bhubaneswar.
181. Office of the Iron Ore Mines Cess Commissioner for Karnataka, Bangalore.
182. Office of the Iron Ore Mines Cess Commissioner for Bihar, Jamshedpur.
183. Office of the Iron Ore Mines Cess Commissioner for

Madhya Pradesh, Indore.

184. Office of the Iron Ore Mines Cess Commissioner for Maharashtra, Nagpur.
185. Office of the Iron Ore Mines Cess Commissioner for Rajasthan, Udaipur.
186. Office of the Iron Ore Mines Cess Commissioner for Goa, Daman and Diu, Panaji.
187. Central Government Industrial Tribunal-cum-Labour Court, Bombay.
188. Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad.
189. Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad.
190. Central Government Industrial Tribunal-cum-Labour Court, Jabalpur.
191. Central Government Industrial Tribunal-cum-Labour Court, Calcutta.

*Ministry of Law and Justice*

192. Office of the Registrar, Income Tax Appellate Tribunal, Bombay.

*Ministry of Railways (Railway Board)*

193. Railway Rates Tribunal, Madras.
194. Railway Services Commissions, Allahabad, Bombay, Calcutta and Madras.
195. Railway Staff College, Baroda.
196. Indian Railways School of Advanced Permanent Way Engineering, Poona.
197. Indian Railways School of Signal Engineering and Telecommunications, Secunderabad.

*Ministry of Shipping and Transport*

198. The Directorate General of Shipping, Bombay.
199. Department of Light-Houses and Lightships, New Delhi.
200. Tuticorin/Mangalore Harbour Projects.
201. Minor Ports Dredging and Survey Organisation, Bombay and Calcutta.
202. Office of the Chief Engineer, Andaman and Lacadive Harbour Works.

- 203. The Border Roads Development Board, New Delhi.
- 204. Office of the Development Commissioner, Kandla Port.

*Ministry of Tourism and Civil Aviation*

- 205. Meteorological Department, New Delhi.
- 206. Office of the Commissioner of Railway Safety, Lucknow.

*Ministry of Works and Housing*

- 207. Land and Development Office, New Delhi.
- 208. Office of the Chief Planner, Town and Country Planning Organisation, New Delhi.

*Ministry of Steel and Mines*

- 209. Geological Survey of India, Calcutta.
- 210. Indian Bureau of Mines, Nagpur.
- 211. Coal Controller's Organisation, Calcutta.
- 212. Airborne Mineral Surveys and Exploration, New Delhi.
- 213. Office of the Controller of Mining Lease, Nagpur.
- 214. Office of the Regional Iron and Steel Controller, New Delhi, Calcutta, Bombay and Madras.

*Ministry of Communications*

- 215. Overseas Communications Service, Bombay.
- 216. Monitoring Organisation, New Delhi.

*Cabinet Secretariat*

- 217. Directorate of National Sample Survey, New Delhi.

## ANNEXURE III

## SELECT PUBLIC UNDERTAKINGS (1973-74)

1. Air India
2. Air India Charters Ltd.
3. Bharat Aluminium Co. Ltd.
4. Bharat Dynamics Ltd.
5. Bharat Coking Coal Co. Ltd.
6. Bharat Earth Movers Ltd.
7. Bharat Electronics Ltd.
8. Bharat Gold Mines Ltd.
9. Bharat Heavy Electricals Ltd.
10. Bharat Heavy Plates and Vessels Ltd.
11. Bharat Ophthalmic Glass Ltd.
12. Bharat Pumps and Compressors Ltd.
13. Bokaro Steel Ltd.
14. Cashew Corporation of India Ltd.
15. Cement Corporation of India Ltd.
16. Central Fisheries Corporation Ltd.
17. Central Inland Water Transport Corporation Ltd.
18. Central Road Transport Corporation Ltd.
19. Central Warehousing Corporation Ltd.
20. Coal Mines Authority Ltd.
21. Cochin Shipyard Ltd.
22. Cochin Refineries Ltd.
23. Cotton Corporation of India Ltd.
24. Electronic Corporation of India Ltd.
25. Engineers India Ltd.
26. Engineering Projects India Ltd.
27. Export Credit and Guarantee Corporation Ltd.
28. Fertilizers and Chemicals Ltd.
29. Fertiliser Corporation of India Ltd.
30. Film Finance Corporation Ltd.
31. Garden Reach Workshops Ltd.
32. Goa Shipyard Ltd.
33. Food Corporation of India.
34. Handicrafts and Handlooms Export Corporation Ltd.

35. Heavy Electricals (I) Ltd.
36. Heavy Engineering Corporation Ltd.
37. Hindustan Aeronautics Ltd.
38. Hindustan Antibiotics Ltd.
39. Hindustan Cables Ltd.
40. Hindustan Copper Ltd.
41. Hindustan Housing Factory Ltd.
42. Hindustan Insecticides Ltd.
43. Hindustan Latex Ltd.
44. Hindustan Machine Tools Ltd.
45. Hindustan Organic Chemicals Ltd.
46. Hindustan Paper Corporation Ltd.
47. Hindustan Photofilms Manufacturing Co. Ltd.
48. Hindustan Salts Ltd.
49. Hindustan Shipyard Ltd.
50. Hindustan Steel Ltd.
51. Hindustan Steel Works Construction Ltd.
52. Hindustan Teleprinters Ltd.
53. Hindustan Zinc Ltd.
54. Housing and Urban Development Corporation of India Ltd.
55. India Tourism Development Corporation Ltd.
56. Hotel Corporation of India Ltd.
57. Indian Airlines.
58. Indian Consortium for Power Projects Ltd.
59. Indian Dairy Corporation Ltd.
60. Indian Drugs and Pharmaceuticals Ltd.
61. Indian Motion Pictures Export Corporation Ltd.
62. Indian Oil Corporation Ltd.
63. Indian Oil International Ltd.
64. Indian Petro-chemicals Corporation Ltd.
65. Indian Rare Earths Ltd.
66. Indian Telephone Industries Ltd.
67. Indo-Burma Petroleum Co. Ltd.
68. Instrumentation Limited.
69. Jute Corporation of India Ltd.
70. International Airports Authority of India.
71. Life Insurance Corporation of India Ltd.
72. Lubrizol India Ltd.
73. Machine Tool Corporation of India Ltd.
74. Madras Fertilizers Limited.
75. Madras Refineries Ltd.
76. Mazagon Dock Ltd.
77. Metal Scrap Trade Corporation Ltd.



78. Metallurgical and Engineering Consultants India Ltd.
79. Mineral Exploration Corporation Ltd.
80. Minerals and Metals Trading Corporation of India Ltd.
81. Mining and Allied Machinery Corporation Ltd.
82. Modern Bakeries of India Ltd.
83. Mogul Line Ltd.
84. National Buildings Construction Corporation Ltd.
85. National Coal Development Corporation Ltd.
86. National Industrial Development Corporation.
87. National Instruments Ltd.
88. National Mineral Development Corporation Ltd.
89. National Newsprints and Paper Mills Ltd.
90. National Projects Construction Corporation Ltd.
91. National Research Development Corporation of India Ltd.
92. National Seeds Corporation Ltd.
93. National Small Industries Corporation Ltd.
94. National Textile Corporation Ltd.
95. Neyveli Lignite Corporation Ltd.
96. Rehabilitation Industries Corporation.
97. Richardson and Cruddas Ltd.
98. Salem Steel Ltd.
99. Sambhar Salts Ltd.
100. Scooters (India) Ltd.
101. Shipping Corporation of India Ltd.
102. State Farms Corporation of India Ltd.
103. State Trading Corporation of India Ltd.
104. Steel Authority of India Ltd.
105. Tannery and Footwear Corporation of India Ltd.
106. Tea Trading Corporation of India Ltd.
107. Triveni Structurals Ltd.
108. Tungabhadra Steel Products Ltd.
109. Uranium Corporation of India Ltd.
110. Water and Power Development Consultancy Services Ltd.



### CHAPTER III

## ADMINISTRATION—STATES AND UNION TERRITORIES

In the words of the very first Article of our Constitution, "India that is Bharat, shall be a union of States". The territory of India comprises the territories of the states; the union territories and such other territories as may be acquired. All such territories are specified in the First Schedule of the Constitution. At present India comprises 22 states and 9 union territories. The states are : Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh and West Bengal. The union territories are : Andaman and Nicobar Islands, Arunachal Pradesh, Chandigarh, Dadra and Nagar Haveli, Delhi, Goa, Daman and Diu, Lakshadweep, Mizoram and Pondicherry. Among the states, Uttar Pradesh has the largest population—nearly 10 crores and Madhya Pradesh the largest area—4,42,841 sq. kilometres. The Constitution authorizes the Parliament to admit by law into the Union, or establish, new states on specified terms. The Parliament may also make laws to form a new state by separation of territory from any state or by uniting two or more states or parts of states or by uniting any territory to a part of any state; to increase or diminish or alter the area of any state ; and to alter the name of any state. The Parliament has freely used this authority and the political map of India has undergone many changes since independence. As regards "acquired territories", these are included within the definition of union territories. Clause (3) (c), Article I does not confer power on India to acquire territories in exercise of its sovereignty and govern them as colonies. It merely provides for and recognizes absorption or assimilation of such territories into the territory of India. Such territories may either be merged into an existing state/union territory or be constituted as a separate state or union territory.

On the eve of independence in 1947, the country was divided into two kinds of political units, British Indian provinces and the princely states. The "British India", as it was then called, contained 74 per cent of the population and 55 per cent of the area of the country; the rest fell within the jurisdiction of the princely states. The British India was divided into 11 provinces which enjoyed provincial autonomy and 5 Chief Commissioners' provinces ruled by the centre. In addition,

there were some backward areas in some of the provinces which were not considered fit for the introduction of responsible government. These territories were named Excluded and Partially Excluded Areas and their administration was made a special responsibility of the Governor in each province. The princely India consisted of some 600 native states scattered all over the country occupying about 45 per cent of Indian territory with 26 per cent of the country's population. All these states were ruled by hereditary princes, but they differed from each other in size, population, resources and form of government. The princely states presented a difficult problem but, due to the statesmanship evinced by the new Indian government, the process of integration and merger, which had been completed well in advance of the inauguration of the present Constitution, led to the reduction of the native states to about a dozen units. In the meanwhile the creation of Pakistan out of the original Indian territory led to the loss of some provinces and princely states. Thus, the First Schedule of the 1950 Constitution classified the units of the Indian Union into four categories viz., A, B, C and D. Under Part A were included the former British Indian provinces of Assam, Bihar, Bombay, Madhya Pradesh, Madras, Orissa, Punjab, Uttar Pradesh and West Bengal. Andhra Pradesh was added to this list a little later. Part B included bigger princely states or the unions of such states, namely, Hyderabad, Jammu & Kashmir, Mysore, Patiala and East Punjab States Union, Rajasthan, Saurashtra, Travancore-Cochin and Vindhya Pradesh. Sometime later Vindhya Pradesh was transferred from Part B to Part C states and Madhya Bharat was added to the list of Part B states. Part C states included Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh, Kutch, Manipur, Tripura and Vindhya Pradesh. Besides these 27 states of different categories, there was another category, namely, a territory specified in Part D of the First Schedule, called the Andaman and Nicobar Islands. Like Part C states this territory was also ruled by the President through a Chief Commissioner. Soon after the inauguration of the new Constitution, there arose a wide-spread demand for the reorganisation of states on linguistic basis, a principle to which the ruling party had already committed itself. The carving of Andhra Pradesh out of the old Madras state in 1953 gave a new and keen edge to this demand and the union government had to appoint the States Reorganization Commission in 1953. The Commission submitted its report on September 30, 1956. The Commission recommended the creation of 16 states and 3 union territories. It also recommended the abolition of the existing distinction between four kinds of units and instead recommended the establishment of only two categories for the component units of the Union, namely, the states and union territories. This

report was soon given effect with some major changes by the States Reorganization Act of 1956. This led to the passing of the Constitution (Seventh Amendment) Act, 1956, which amended the First Schedule, which now included 14 states (Andhra Pradesh, Assam, Bihar, Bombay, Jammu & Kashmir, Kerala, Madhya Pradesh, Madras, Mysore, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal), the 6 union territories of Andaman & Nicobar Islands, Delhi, Himachal Pradesh, the Laccadive, Minicoy and Amindivi Islands, Manipur and Tripura. The process of change by no means stopped there. In 1960 the composite state of Bombay was split into two linguistic states of Gujarat and Maharashtra. The next year witnessed the transformation of the centrally administered territory of the Naga Hills-Tuesang Area into the new state of Nagaland. In 1961 Goa, Daman and Diu were acquired by India from the Portuguese. They were administered as 'acquired territory' until their incorporation as a union territory by the Constitution (Twelfth Amendment) Act in 1962. Pondicherry, Mahe and Karikal had been acquired from the French by negotiation earlier and given the status of union territory. In 1966, the composite state of Punjab was divided into three units : Punjab, Haryana and the union territory of Chandigarh. In 1970, there was carved out of Assam a separate autonomous state of Meghalaya. The next year saw the emergence of Himachal Pradesh (a union territory till then) into a full-fledged state. The same year the Parliament enacted the North-Eastern Areas (Reorganization) Act which went into effect in 1972. This resulted into the creation of three new states of Meghalaya, Manipur and Tripura and the two union territories of Mizoram and Arunachal Pradesh. In 1975 the 'protectorate' of Sikkim was allowed to merge in the Indian union as an "associate state". A year later Sikkim was given the status of a full-fledged state in the Indian union. Along with the process of redrawing the political map of India, we also find a process of giving new nomenclature to the states. Thus, the United Provinces was renamed as Uttar Pradesh, Madras as Tamil Nadu, Mysore as Karnataka and the Laccadive, Minicoy and Amindivi Islands as Lakshadweep.

To sum up, the Indian Union at present comprises the following 22 states :

TABLE I

S. No.	State	Area (in square kilometres)	Population
1.	Madhya Pradesh	442,841	41,654,119
2.	Rajasthan	342,214	25,765,806
3.	Maharashtra	307,762	50,412,235

S. No.	State	Area (in square kilometres)	Population
4.	Uttar Pradesh	294,413	88,341,144
5.	Andhra Pradesh	276,814	43,502,708
6.	Jammu-Kashmir	222,236	4,616,632
7.	Gujarat	195,984	26,697,475
8.	Karnataka	191,773	29,299,014
9.	Bihar	173,876	56,353,369
10.	Orissa	155,782	21,944,615
11.	Tamil Nadu	130,069	41,199,168
12.	West Bengal	87,853	44,312,011
13.	Assam	78,523	14,625,152
14.	Himachal Pradesh	55,673	3,460,434
15.	Punjab	50,362	13,551,060
16.	Haryana	44,222	10,036,808
17.	Kerala	38,864	21,347,375
18.	Meghalaya	22,489	1,011,699
19.	Manipur	22,356	1,072,753
20.	Nagaland	16,527	516,449
21.	Tripura	10,477	1,556,342
22.	Sikkim	7,299	209,843

NOTE:—Area and population figures are based on 1971 Census.

The new Constitution is federal in structure with strong unitary features. It defines and demarcates the areas and jurisdiction of the Union and its component units. Unlike the United States of America, the states in India possess no vestige of sovereignty and are indeed the creatures of the Constitution and residual powers of legislation are vested in the Union Parliament. In our federal system the Central Government is the dominant partner enjoying various types of powers, over-riding in nature, over the states including the power to issue directives and to ensure their implementation. Above all, Part XVIII of the Constitution on Emergency Provisions confers upon the central government the power virtually to convert the Union into a unitary state.

Yet the states occupy a vital role in the governmental system in the country. The vigour and competence with which the state governments function are of crucial importance for the efficiency and effectiveness of administration in the country. The responsibility for the execution of planned programmes rests mainly with the states and most subjects, which constitute the ingredients of development administration, are within their exclusive jurisdiction. In addition, even in the execution of the union government's projects and programmes the states are involved at several points. State governments also act in many cases as agents of the union government assisting the latter in the discharge

of its functions. Again, it is only at the state level that people's participation in government and administration can become a reality and it is with this end in view that the Constitution has provided for a system of local self-government (Article 40). It follows, therefore, that the states hold the key to the nation's progress on economic and social fronts, in other words, to the realisation of the socialist state.

The states, however, vary considerably in terms of their size, population, resources—physical, economic and manpower—in terms both of quantity and quality, political, social and cultural development and quality of their administrative machinery. This constitutes a major difficulty in a description of the state administrative system. Secondly, India is a union of states and centrally administered territories. These two categories differ fundamentally in their political and administrative organisation. In addition, there is no uniformity as between themselves in the constitutional and administrative systems of the states.

It is proposed to describe the state administration under the following sections :—

- I. Headquarters organisation—secretariat and executive agencies.
- II. Territorial divisions and district administration.
- III. Special agencies such as State Public Service Commissions.
- IV. State services and their training.
- V. Statutory autonomous bodies and public corporations.
- VI. Local Self-Government.
- VII. Union territories.

#### *I. Headquarters organisation—secretariat and executive agencies.*

The system of government in the states closely resembles that of the Union. The executive authority of the state is vested formally in the Governor corresponding to the President of the Union, while the real executive authority in the states lies in the Chief Minister corresponding to the Prime Minister of India. Each state has a Council of Ministers, a State Legislature, a High Court modelled more or less on their counterparts at the centre. It has been truly said that the state government is a miniature model of the union government within its own jurisdiction.

The state executive consists of the Governor and the Council of Ministers with the Chief Minister at its head.<sup>1</sup> The Governor is appointed by the President for a term of five years. The executive power of the state is vested in the Governor and all executive actions of the

1. The five states of Assam, Manipur, Meghalaya, Nagaland and Tripura have a common Governor.

government of the state are formally taken in his name. The Governor has to act on the advice of the Council of Ministers, except in so far as he is required under the Constitution to exercise his powers in his discretion. Such powers, as specifically stated in the Constitution, relate to certain matters concerning the administration of the tribal areas in Assam and Meghalaya, the Tuesang area of Nagaland, the hill areas of Manipur and the Telengana region of Andhra Pradesh and the maintenance of law and order in Nagaland. In the case of Sikkim, the Governor has special responsibility for peace and for an equitable arrangement for ensuring the social and economic advancement of different sections of the population of the state and in the discharge of his special responsibility he acts in his discretion subject to certain directions as the President may from time to time issue.

The Chief Minister is appointed by the Governor, who also appoints other Ministers on his advice. The Council of Ministers is collectively responsible to the legislative assembly of the state. The ranking of the Ministers is similar to that at the centre : Cabinet Ministers, Ministers of State and Deputy Ministers. In addition, in the past some states like Uttar Pradesh appointed Parliamentary Secretaries and the pre-1956 Madhya Pradesh had a Chief Parliamentary Secretary as well. Presently the new Haryana government has appointed a Parliamentary Secretary. These Parliamentary Secretaries are appointed by the Chief Minister to assist Ministers in their legislative duties. The position of the Chief Minister is unique. He is incomparably the first and pre-eminent in the Council of Ministers. In fact, he constitutes the linch-pin of the ministerial organization. He is the power to guide, direct, control and co-ordinate the activities of other Ministers and to discipline them when occasion arises. He combines in himself the four roles of the leader of the party in power, the leader of the House with some exceptions, the leader of the government, and the political head of the services. The demands on the Chief Minister's time and attention are many and pressing. The discharge of his multifarious functions together with the fact that the tasks and responsibilities of government have immeasurably increased throw up to Chief Minister a variety of complex and important work which must be disposed of expeditiously. The Chief Minister thus needs expert assistance. At present the Chief Secretary is, no doubt, the chief staff officer of the Chief Minister and in some states, as in Rajasthan, the Chief Minister is assisted by a Cabinet Secretariat. Yet there is need for staff support with a broader ambit and the Madhya Pradesh Administrative Reforms Commission Report, 1972 recommended "that there should be set up, in the Chief Secretary's charge, a Policy Review Unit (PRU). The principal function of the PRU should be to balance by critical analysis and synthesis the specialisms of individual



**Ministries”.**

On the advice of the Chief Minister, the Governor allots the business of the government by assigning one or more departments to the charge of a Minister. He may assign one department to the charge of more than one Minister. The present distribution of work is not based exclusively on any one principle. The allocation of business to heads of executive departments is generally on the principle that all activities that require for their performance a particular kind of specialized professional knowledge and training are grouped together under one executive department. This principle, however, is not applied with the same rigour while grouping administrative departments under the charge of a Secretary. Administrative departments and consequently executive departments are assigned to members of the Council of Ministers. But in doing so no rational principle seems to operate. It is not unusual to take out a particular subject from an organic group and entrust it to a Minister either in isolation or as an addition to some other work given to him with which it has no connection. Again, if a Secretary has in his charge more than one department, all the departments in his charge do not form the portfolio of a Minister but each of the departments may have a different Minister with the result that one Secretary has often to assist a number of Ministers. There are also instances of odd combinations at the secretariat level, e.g., forest with health; law and order with transport; revenue with elections; civil supplies with agriculture, etc. This had led to considerable duplication of activities, dispersal of expert and quality personnel, shortage of resources which is itself an endemic problem in any developing economy.

**Secretariat :** The three essential components of the state government are the Minister, the Secretary and the executive head. The most important function of the Minister is to decide the policy, of the Secretary to provide the material on which to reach such decisions and to oversee the implementation of such decisions and of the executive head to carry the decisions into effect. The first two functionaries, namely, the Minister and the Secretary are served by the secretariat organization, which is nothing but a conglomeration of a number of administrative departments. Significantly, the secretariat works as a single unit with collective responsibility as in the case of the Council of Ministers. Secretaries, thus, are Secretaries to the state government and not to any individual Minister.

Thus, the state level administration and management functions are entrusted to two agencies, viz., the secretariat and heads of executive departments. The secretariat's primary responsibility is to assist the Ministers in respect of the following matters :

- (i) Making and modifying policies from time to time.

- (ii) Framing legislation, rules and regulations.
- (iii) Sectoral planning and programme formulation.
- (iv) (a) Budgeting and control of expenditure.  
(b) According administrative and financial approval to operational plans and programmes and their subsequent modifications.
- (v) Supervision and control over the execution of policies and programmes by field agencies, and evaluation of the results.
- (vi) Co-ordination and interpretation of policies, assisting other branches of the government and maintaining contact with other governments both at the centre and in other states.
- (vii) Initiating measures to develop greater organizational competence.
- (viii) Discharging their responsibilities to the legislature.

The primary duty of heads of executive departments is the implementation of the decisions of the government through the field agencies under their control.

The secretariat is divided among a number of administrative departments. The number of secretariat departments differs from state to state. Departments common to most of the states are agriculture, co-operation, education, excise, finance, food, general administration, home, industries, irrigation and power, jails, labour and employment, legislative, local self-government, medicine, *panchayati raj*, planning and development, public health, public works, publicity and information, revenue, supplies and transport. It should be noted that the number of Secretaries is usually less than the number of secretariat departments because the departments are grouped and one group is put in charge of a Secretary. The secretariat departments, in turn, are divided into divisions, divisions into branches and branches into sections.

A department consists of the officer class and the office. The notable feature of the existing organizational set-up of the secretariat is that a wide base of clerical personnel helps a hierarchy of a small number of officers arranged pyramidically at the apex of which sits the Secretary of the department. The officer class includes, besides the Secretary, deputy-secretary, under-secretary and/or assistant-secretary. There may also be joint, additional and special secretaries. In pre-independence days, the state secretariat had a very much smaller office underlay than at present. One or at the most two under-secretaries working directly under a Secretary was the normal officer complement of a department. In those days, as at present,

the under-secretary was not expected to take decisions. His responsibility was to see that the office functioned properly and presented to the Secretary all the relevant material available in the office. When the post of deputy-secretary was created, the intention was to relieve the Secretary of some of his work. The same process, though to a lesser extent, has operated in the case of the additional levels between that of the deputy-secretary and the Secretary which were at times designated as joint-secretary, additional-secretary or as special-secretary. Not all departments have special secretaries in addition to Secretaries but some departments are headed by special secretaries.

All these officers are, subject to the well-known "tenure system", appointed to the secretariat only for a fixed term, the only exception to this system being the Chief Secretary. These officers, drawn from services which have field functions, move between the field and the secretariat. The staffing practice, barring a few odd exceptions, is 'generalists' oriented in that the posting to a department or the assignment of work to an individual does not take account of his aptitude and interests nor is there anything approaching purposive training for particular aspects of work.

The office component of the secretariat comprises the personnel below the rank of the under-secretary. They are secretariat officials in the sense that they usually work life-long in the secretariat. In M.P. (Madhya Pradesh) the clerical personnel is divided into four grades—lower division clerks, two grades of upper division clerks and superintendents. In some states there is the rank of an assistant-secretary and of assistants. In addition, there are steno typists, stenographers, typists, etc. Below them come the class IV employees who are mostly engaged in manual and unskilled work. The classification and categories and numbers of these employees differ from state to state.

**Chief Secretary :** The head of the secretariat in every state is the Chief Secretary. He is always in-charge of the General Administration Department, which forms part of the portfolio of the Chief Minister himself. But his control extends to other departments of the secretariat as well. It will not be correct to describe his role as *primus inter pares* for he is in reality the chief of the Secretaries. He also heads the civil services in the state. He functions as the central point of inter-departmental co-ordination at the officers' level. He should also, by reason of his experience and standing, be able to smoothen out difficulties and friction that cannot always be avoided in any big organization and to give general guidance to other officers. He, thus provides leadership to the administrative system of the state. He also acts as the chief communication link between his state govern-

ment on the one hand and the union government and other state governments on the other hand. In the Chief Secretary the state government has an officer whose counter-part does not obtain in the union government. In fact, his role in state administration is, at the union level, spread over a number of senior officers like the Cabinet Secretary, the Finance Secretary and the Home Secretary.

The Chief Secretary, thus, has a triple role. In the first place, he is the Secretary to government in the General Administration Department. This department, in general, is concerned with services, protocol and related matters, organization and methods, elections and census, publicity and tourism, foreigners and passports, emergency, languages and Raj Bhavan. This is certainly a heavy charge and although the Chief Secretary is assisted by deputy-secretaries and in certain states by a special secretary, he has still to attend to a number of matters which are routine in character and of less importance. It is doubtful if this diversion of his attention is desirable. The Chief Secretary should be enabled to find time for looking into the major development activities of government. Secondly, he is the Secretary to the Cabinet. In this capacity he prepares the agenda for Cabinet meetings and drafts their minutes. In fact, he is in full charge of the business which comes before the Cabinet and as a rule himself presents the cases for consideration. Thirdly, he is the chief of all the Secretaries to government. In this capacity he presides over a large number of committees, some 20 or more in number, and is a member of several others. Apart from these committees, the Chief Secretary is generally a part of any committee or group of officers concerned with high-level policy particularly during crisis. As the principal Secretary to government, the Chief Secretary also receives in the normal course a large number of files from other departments. In brief, he functions as a co-ordinator *par excellence* of administrative action in the secretariat. In the words of the Rajasthan Administrative Reforms Committee Report, "the Chief Secretary should be in a position to effectively co-ordinate the work of different secretariat departments and ensure that there is a certain degree of uniformity in the policies adopted by the State Government with respect to different departments. To a certain extent, powers have already been vested in him under the 'Rules of Business' to enable him to discharge this role."<sup>2</sup> The Committee, therefore, recommended that all important cases involving adoption of new principles or new schemes; all cases involving the appointment, confirmation, posting, transfer and promotion of officers of the status of deputy heads of departments and above; and all proposals suggesting deviation

from existing rules and practice should be circulated by the Secretaries of the departments concerned to the Minister-in-charge only through the Chief Secretary. The observations of the Bombay Administrative Enquiry Committee, (1948) are also apt in this connection. "We suggest that the office of the Chief Secretary should be utilized for the co-ordination of the important matters originating in other departments. For this purpose he should have timely knowledge of the movement of important business in other departments and an opportunity to contribute his own view on matters where he may feel it necessary to do so." The crucial role of the Chief Secretary in state administration was very well brought out in the report of the Study Team of the Central Administrative Reforms Commission on State Level Administration in the following words : "But the secretariat organization itself needs co-ordination and discipline. This can be achieved by strengthening the position of the Chief Secretary, who is to function as the chief co-ordinator under the Chief Minister. Being the captain of the team of Secretaries to Government, the Chief Secretary should be a senior person of outstanding ability. He should not only command respect and confidence of all the services in the State but also enjoy good reputation at the Centre so that he can deal with the Secretaries to the Union Government on equal terms. .... The Chief Secretary in addition to assuming ..... responsibility for the departments directly under his control, will also have to ensure proper functioning of all the Secretaries. The Chief Secretary by his tact, experience, ability and seniority, has to so manage things that the political leadership keeps to its essential task of laying down policies and programmes and of co-ordinating the work amongst the Ministers themselves. This requires a person of high calibre and tact. We, therefore, recommend that the selection of the Chief Secretary should be made with great care. He should usually be the senior-most fit person who by virtue of his ability, experience, integrity and impartiality commands the respect and confidence of all officers."<sup>4</sup> It was in pursuance of this recommendation that a decision was taken in 1973 to upgrade the post of the Chief Secretary in all states and bring it on par with the rank of the Secretary to the union government.

Attention may now be drawn to two problems that merit some discussion, namely, the increasing functions and the expanding authority of the secretariat and the relationship between the Minister and

3. *Report of the Administrative Enquiry Committee* Bombay, 1948, pp. 63-64.

4. *Report of the Study Team (Administrative Reforms Commission) on State Level Administration*, New Delhi, 1968, p. 33.

the Secretary. Strictly speaking, the secretariat exists as an overhead office for policy-making and legislative relations, as a memory and a clearing-house preparatory to certain types of decisions and as a general supervisor of executive action. However, ever since independence, the states have taken in hand the paramount task of the development of their economic resources and the ushering in of social and economic justice for the weak, the down-trodden, and the poor. This has resulted in a steady and substantial increase in the volume of work done at the secretariat level. This work has also become increasingly complex and technical.

Since there were no established executive agencies to undertake these new tasks and as the bulk of senior civil servants in the field had already been drawn to the secretariat during the Second World War, the secretariat itself had to undertake these tasks and in doing so to trespass outside the sphere of policy-making into that of executive administration. Another factor which helped the new trend was the fact that there was no settled policy with regard to the new range of problems and the business of formulating policies at different points could only be performed in the secretariat. Moreover, there has never obtained in our country a sharp distinction between "staff" and "line" functions and agencies. It will not be correct to describe the secretariat as a staff organization mainly engaged in planning, organizing, staffing, directing, co-ordinating, reporting and budgeting activities to assist the "top management". The British rule in India was in the hands of a "steel frame" which comprised not only the Indian Civil Service but included besides the army, the police and the members of the provincial civil/executive service. The members of this "steel frame" were freely transferable from the secretariat to the field work and *vice versa* under the well-known "tenure" system. The tradition of our administrative system, thus, has been that most of the new activities start in the secretariat and it is only when they get stabilized that they are transferred to field agencies specially created for the purpose. Thirdly, India, being a parliamentary democracy, the secretariat has to collect a lot of information from various sources and agencies to be made available to the state legislature, particularly by way of replies to questions. Lastly, "people approach ministers direct for redress of individual or group grievances. The Ministers also want to do their best to redress such grievances, thus adding to the work of the Secretariat."<sup>5</sup>

There is the equally important question of the relationship between the Ministers and the civil servants. In the discharge of the respective responsibilities and the performance of the respective duties

there are likely to be differences of opinion and consequent annoyance. But it would be good for both to act according to the following advice : "The relationship between the Minister and the civil servant should be and usually is that of colleagues working together in a team of co-operative partners seeking to advance the public interest and the efficiency of the Department. The Minister should not be an isolated autocrat, giving orders without hearing or considering arguments for alternative courses; nor on the other hand, should the civil servants be able to treat him as a mere cipher. The partnership should be alive and virile, rival ideas and opinions should be fully considered, and the relationship should be one of mutual respect on the understanding, of course, that the Minister's decision is final and must be loyally and helpfully carried out, and that he requires efficient and energetic service."<sup>6</sup>

**Executive Departments :** The work relating to the initiation and formulation of policies of the government requires decentralization of executive direction and the establishment of field agencies. For the most part of the substantive work handled by the state secretariat, therefore, there exist executive departments, varying in size and powers, which are responsible for providing executive direction required in the implementation of policy laid down by the administrative departments to which they are attached. These executive departments serve as repository of technical opinion and advise the secretariat departments on technical aspects of questions dealt with by them. Below them are found field agencies or establishments responsible for detailed execution of the policies and programmes laid down above. Powers of the head of a department, both administrative and financial, are defined in financial rules, the civil service rules, the budget manual and other codes. These rules indicate the category of cases that must go up to the head of department for final orders, the administrative and financial powers vested in various heads of departments and of the heads of offices below them and cases which have to be referred to the state government at the headquarters for orders. The orders in cases referred to the government are passed by the Secretary after obtaining, if necessary, orders of the Minister-in-charge. In the words of the Simon Commission, the executive department "is an Administrative Unit, separate from the Secretariat, which reaches its apex usually in a single officer like the Inspector-General of Police or the Chief Conservator of Forests, outside the Secretariat altogether. Such a head of the department will usually be concerned principally with a single Secretary to Government and a single Minister for his orders and the

6. Morrison, Herbert, *Government and Parliament*, London, 1964, pp. 318-19.

funds which he has to spend.”<sup>7</sup> In general, each administrative department of the secretariat has a corresponding executive department in the field. But some secretariat departments like law have no field agency.

**Heads of Departments, Principal Heads of Offices and other Heads of Offices :** Heads of departments are officers who are in over-all charge of the actual administration of specific services or administration and execution of projects. There are also heads of departments who are responsible for the collection of taxes and administration of laws relating to taxation. The state government exercises control over the working of heads of departments through administrative departments of the secretariat. The funds voted by the legislature are placed by the finance department and the administrative department concerned at the disposal of the heads of departments who are responsible to the government for the proper utilization of these funds and to render accounts to the Accountant-General and through him to the Public Accounts Committee and the legislature. The running schemes are administered by heads of departments according to a pattern which had in the past received government's sanction. New schemes are first considered by the government either of their own accord or on reference made by heads of departments and necessary provisions are made in the budget. After the passing of the budget, the departments are directed to carry out the schemes according to the pattern formulated by the government and approved by the legislature at the time the grant was voted. Thus a head of department enjoys specified financial and administrative powers delegated to him.

Similarly, a principal head of office also exercises such powers, but on a lower scale, and is in-charge of organizations smaller than those under a head of department. They are directly responsible to the government for the proper working of their departments and for implementation of schemes and governmental policies in various fields. Except for matters in which they are competent to take final decisions, all other issues are referred to government for orders. A head of department as also a principal head of office has under him officers in-charge at regional or district level. There is in every district a representative of almost each department. Supervision over departmental activities in a specified number of districts is done by the regional officer. Though overall superintendence of departmental activities vests in a head of department or a principal head of office, the collector/deputy commissioner of a district is kept in close touch with those activities by the departmental district representative. A head of office, which means the highest gazetted officer of a local office, also



exercises, individually or generally, some of the specified financial and administrative powers, as are exercised by the head of a department or a principal head of office but on a yet lower scale. However, the heads of departments are as much amiss as the secretariat in the matter of allowing adequate operational freedom to their subordinate levels. They do not always allow their subordinates to exercise, according to their own judgment, the powers delegated to them, the heads of departments intervening only to rectify errors or to stimulate initiative and drive. A major reason for this is the failure to define the inter-relationships of the sub-units and individuals in the organization.

The offices of the heads of departments are also fashioned on the same general pattern as the secretariat with an office underlay largely though not exclusively manned by clerical personnel on which is superimposed an officer hierarchy in almost as many levels as in the secretariat. The officer staff is generally drawn from the department which means that they are specialists and technicians. The departments are generally headed by a technical officer variously called registrar, director, director-general, inspector-general, commissioner, chief engineer, etc. But it is not unusual to appoint a member of the Indian Administrative Service to hold the charge of technical departments like agriculture, education, forests, health, sales tax, tribal welfare, etc. Indeed, it has been a sore point in the controversy between the 'generalists' and the 'specialists' in the state administration.

Since independence, there has taken place a large proliferation in the number of departments, partly due to the breaking up of large departments and partly due to the creation of new ones. The following table gives the names of departments (common to most states) along with the designation of their heads :

TABLE II

S. No.	Name of the Executive Agency	Designation of the Head
1.	Accounts and Treasuries Directorate	Director of Accounts and Treasuries.
2.	Agriculture Department . . . .	Director of Agriculture.
3.	Animal Husbandry Department . .	Director of Animal Husbandry.
4.	Archives and Historical Documents Department.	Director of Archives and Historical Documents.
5.	Ayurved Directorate . . . .	Director of Ayurved.
6.	Buildings and Communication Department (Executive).	Chief Engineer (Buildings and Communication).
7.	Charity Department . . . .	Charity Commissioner.
8.	Co-operative Department . . . .	Registrar of Co-operative Societies.
9.	Dairy Development Department . .	Dairy Development Commissioner.
10.	Education/Public Instruction Directorate/Department.	Director of Education/Public Instruction.

S. No.	Name of the Executive Agency	Designation of the Head
11.	Employment Directorate . . .	Director of Employment.
12.	Excise Department . . .	Director of Excise/Excise Commissioner.
13.	Fisheries Department . . .	Director of Fisheries.
14.	Food and Civil Supplies Department.	Director of Food and Civil Supplies/ Supply Commissioner.
15.	Forest Department . . .	Chief Conservator of Forests.
16.	Geology and Mining Directorate .	Director of Geology and Mining.
17.	Government Printing and Stationery Directorate.	Director of Government Printing and Stationery.
18.	Housing Department . . .	Housing Commissioner.
19.	Industries Directorate . . .	Director of Industries/Industries Commissioner.
20.	Information and Publicity . . .	Director of Information and Publicity.
21.	Irrigation and Power Department (Executive).	Chief Engineer (Irrigation).
22.	Jail Department . . .	Inspector-General of Prisons.
23.	Judicial Department . . .	Advocate-General/Registrar, High Court.
24.	Land Records Office . . .	Director of Land Records.
25.	Languages Directorate . . .	Director of Languages.
26.	Labour Department . . .	Labour Commissioner.
27.	Medical Services Department . . .	Director of Medical Services/Surgeon General.
28.	Motor Vehicles and Transport Department	Director of Transport.
29.	Planning and Development Department.	Development Commissioner.
30.	Police Department . . .	Inspector-General of Police.
31.	Public Health Department . . .	Director of Public Health.
32.	Registration Department . . .	Registrar/Registrar-General.
33.	Sales Tax Department . . .	Sales Tax Commissioner.
34.	Settlement Office . . .	Settlement Commissioner.
35.	Social and Harijan Welfare Directorate	Director of Social and Harijan Welfare.
36.	Technical Education Department .	Director of Technical Education.
37.	Tourism Directorate . . .	Director of Tourism.
38.	Town Planning Department . . .	Director Town Planning.

NOTE : The above list is just illustrative and not exhaustive.

The above table clearly shows that there is no common nomenclature for all the executive agencies nor a common designation for their heads. Moreover, differences, sometime marked, exist between the emoluments, position and roles of the heads of departments. Thus, there obtains no uniformity in the relationship between the secretariat and the executive departments. It is true that in theory the departments are free in their internal working and for this purpose adequate administrative and financial authority is vested in them, but as subordinate agencies they have to submit periodic or/and *ad hoc* report on their activities to their superiors. There is also a provision for visits to or/and inspections of these offices by the secretariat officers. Another aspect that should be noted in this connection is that in the existing system there exist disparities in the status, rank and remuneration of the heads of executive departments and the secretaries. The secretary's position is looked upon as one of higher status than that of the heads of field agencies who are considered as subordinate to the secretaries. The service pattern has so worked out in the present system that the general administrator is placed at a higher level than the professional and technical officers. This is at the root of all inter-service rivalries, tension and conflicts, and the inadequacy of the present system. For this reason, the secretariat-field relationship has worked out to be one of superior-subordinate relationship. However, there can be no question of superiority or inferiority in the functions of these two agencies, and the relationship should be one of co-ordination, co-operation and competition for better results. In actual practice, however, the executive heads often complain that the secretariat creates hurdles instead of facilitating smooth execution of programmes. They also feel dissatisfied as very often important proposals emanating from them are subjected to a *de novo* and unimaginative examination at the lowest level of the secretariat and do not receive due weight and consideration. The Secretaries, on the other hand, hold that the failure of programmes is due to the inefficiency of the executive. They also complain that very often the executive heads bypass the Secretary and try to obtain approval of the Minister directly. It has been observed that as Ministers gained confidence in their position they started to establish direct contacts with the heads of executive departments who, in turn, began to approach the political executive over heads of the secretariat officers concerned. Such contacts have posed a threat to the supremacy of the secretariat. One more aspect of the problem that deserves mention is that after the re-organization of the states in 1956, a trend has set in to disperse government offices all over the state instead of locating them at the capital. This has been done in deference to the regional and local demands. Thus in states like Maharashtra,

Rajasthan and Uttar Pradesh the headquarters of many executive departments are located outside the capital. The dispersal of offices is more marked in Madhya Pradesh.

**Relationship between the Secretariat and Field Departments :** Any form of government organization must be based on three essential components—the Minister or the political head ; the Secretary or the administrative head ; and the head of the executive agency called by various names such as department, directorate, inspectorate, etc. “The function of the Member (Minister) is to decide policy, of the Secretary to provide the material on which to reach such decisions, and of the Executive Head to carry the decisions into effect. On the analogy of the human machine the Member (Minister) would represent the Will, the Secretary the Brain and the Executive Head the Hands.”<sup>8</sup> In the interest of good administration it is essential that the respective functions of the three components should be broadly distinguished and defined, and all must obviously work in the closest touch with each other. This describes the ideal relationship which should obtain during normal times. However, in times of emergency and crisis, this relationship is naturally disturbed and with the centralization of authority the secretariat tends to become powerful. India has not known normalcy since 1939, and emergency/crisis of one kind or the other has continued throughout this period with the consequent upsetting of balance as between the functions of the three parts of the machine. Even in theory, no hard and fast line can be drawn as between their functions. Not seldom they dovetail into each other. The secretariat has, thus, carved out for itself a unique position of authority, influence and prestige so much so that the heads of executive departments hanker after the coveted secretariat status.

The relationship between the secretariat and the field agencies is a problem in state administration that has led to much discussion, debate and controversy, and all committees/commissions appointed in recent years to recommend reforms in state governments have given due attention to this problem and made necessary recommendations. These suggestions vary all the way from a radical organizational overhaul to minor procedural changes. Thus, some heads of executive departments, exasperated at the secretariat red-tapism, delays and overlordship, have at times wondered if it were possible to do away with the interposition of the Secretary as between the Minister and the head of the department. In the words of the *Report of the Administrative Reforms Committee of Andhra Pradesh* (1960), “one extreme view... is that the Secretariat may be abolished altogether and that the Heads of

8. Tottenham, Richard, *Reports on Reorganization of the Central Government, 1945-46*, p. 8.

Departments may be made the Secretaries to Government. According to them, this will result in considerable saving of expenditure and also quicken the pace of administration". Such a suggestion is hardly going to solve the problem. Moreover, there is advantage in interposing between the Minister and the head of the department a secretariat where a scrutiny of policy proposals from a broader point of view is possible. However well argued and cogently put the proposals of the technical head of a department might be, it is essential for government to have a second careful look at them from a non-technical angle through an independent agency; this in fact is what the secretariat is for. Another suggestion is to curtail the functions of the secretariat. Tottenham was of the opinion that "the duties of the secretariat should correspond broadly to those of the staff in the Army Organisation and that, just as the Staff Officer does not himself conduct operations in the field, so the Secretary should not ordinarily be charged with executive duties."<sup>9</sup> A study was made by the Punjab Administrative Reforms Commission (1964—66) of the amount of non-essential work handled at the secretariat level and it was found "that only about 30 per cent of the work required detailed processing at the Secretariat, 38 per cent was routine which could be disposed at the lower level, the Superintendent or Assistant Secretary or Under Secretary at the most. The balance of 32 per cent was not within the legitimate purview of the Secretariat. This indicates that about 1/3rd of the cases should not be handled by the Secretariat at all."<sup>10</sup> The Maharashtra Administrative Reorganisation Committee (1948) came to similar conclusion : "The Secretariat departments also handle directly some work which is really of the executive type. . . . . For example, references are made to the Secretariat in regard to award of certain scholarships, transfer of Medical and Dental College students from one college to another, permission to Medical Officers to accept examinerships of Universities outside the State; purchase of books and publications and recommending them to schools, colleges and libraries for purchase; holding of annual N.C.C. training courses." The prime need, therefore, is for a clear-cut demarcation of functions between the secretariat and the executive departments. The secretariat should concern itself mainly with issues of policy, leaving its implementation to the field agencies and exercising only a supervisory and co-ordinating role.

Flowing from the above suggestion is the need for liberal delegation of authority from the secretariat to the executive agencies. It

9. *Ibid.*

10. *Report of the Study Team (Administrative Reforms Commission) on State Level Administration*, New Delhi, 1968, p. 35.

has been argued that since the responsibility of the execution of government policies rests with the heads of departments, it is essential, that they should be given adequate powers and discretion to act effectively and exercise initiative. All reports on administrative reforms are agreed on the need for it. But, "While.....some increased delegations have been made in some States in recent years, the overall approach has been one of hesitancy and caution. Delegations are often made piecemeal and with reservations, as if they were a favour and not a normal method of work organisation, and are often hedged in by restrictions of various kinds"<sup>11</sup>. Two suggestions have been made in this connection. It has been observed that the powers delegated to various heads of departments lack in uniformity and it is desirable that there should be uniformity in the powers delegated to all heads of departments, exception being made only where absolutely necessary. Secondly, an effort should be made by the secretariat to see that such delegation is effective at all levels and that delegated powers are fully exercised. It has been found that while the heads of departments are quick to resent what they call "interference from above", they do not always allow their subordinates to exercise the delegated powers, nor do they always refrain from "breathing down the necks" of their subordinates. A major reason for this is the failure to define the proper role of the head of department *vis-a-vis* the field agencies.

A third suggestion has been to confer *ex-officio* secretariat status on the heads or deputy heads of executive agencies considered important by the government. This arrangement has been freely resorted to in the past and is widely prevalent even now. Arguments in favour of the combination of the two roles are : (i) it will lead to a more expeditious despatch of business and avoid the delay that inevitably occurs in the scrutiny of proposals of executive agencies in the secretariat; (ii) it will strengthen the interaction between the field and policy-making levels; (iii) it will help bridge the psychological gap between the heads of departments and the secretariat; and (iv) it will also smoothen the relations between the technical heads of departments and the generalist secretariat officers. Most of the state administrative enquiry committees set up in more recent years have taken a view favourable to this suggestion. The Rajasthan Administrative Reforms Committee (1962-63) recommended a limited experiment of appointing the chief engineer, Public Works Department (Buildings and Roads) and the director of industries and supplies *ex-officio* additional secretaries to government. The number of such officers has been con-

11. *Administrative Reforms Commission Report on State Administration*, New Delhi, 1969, p. 30.

standly on the increase. The Andhra Pradesh Administrative Reforms Committee (1964-65) recommended the conferment of *ex-officio* secretariat status on 23 heads of departments and the introduction of the single-file system whereby the executive and the secretariat note on the same file. The Punjab Administrative Reforms Commission (1964-66) recommended "that one way of ensuring adequate financial and administrative powers for the Head of Department is to confer on him appropriate Secretariat status. .... This will automatically invest him with powers of the Administrative Department—detailed in various Financial and Administrative Rules." The Kerala Administrative Reorganization and Economy Committee (1966-67) recommended the grant of *ex-officio* secretariat status to 55 officials of the executive departments.

Lastly, the Study Team of the Administrative Reforms Commission on the Machinery of the Government of India recommended that the distinction between the secretariat as the policy-making body and the non-secretariat organizations as executive agencies be abolished and that heads of all important non-secretariat organizations should be integrated with the administrative departments in the secretariat. The Madhya Pradesh Administrative Reforms Commission (1970-72) also recommended the substitution of the two parallel hierarchies by an integrated composite office. In the words of the Commission's Report : "An administrative organization must provide for specialisation in the various aspects of administration. This is neglected at present. This major deficiency will have to be made good when improvement of the prevalent system is attempted. Therefore, the new arrangements will have to be such that specialist assistance in administration is available both to the Secretary and to the head of department. In that event, parallel hierarchies in the secretariat and under the head of department will involve duplication of these arrangements. Combining the two offices has the advantage of avoiding such duplication. And it should be possible to entrust these specialised functions to personnel of higher calibre by concentrating the work in a single office, thereby improving the quality of performance and avoiding dispersal of scarce manpower and financial resources.

"A composite office will permit more specialisation in the division of work than would be possible in separate offices, ensuring that every aspect of the work to be done is handled by persons chosen for their competence in that aspect, reducing the dependence on generalists.

"These advantages are, in our view, sufficient justification for giving up the existing parallel hierarchies in the secretariat and under the head of department and substituting for them an integrated office to look after the work of both".

## II. Territorial Divisions and District Organization :

Undoubtedly, it is the administrative headquarters at the capital of the state from where the entire state is administered. However, it is just not possible nor desirable to administer a big community from one single centre. Consequently, every state is divided into a number of administrative sub-centres catering to the needs of the people in the areas comprised in such sub-centres. It is obvious that for the citizen these '*mofassil*' (field) areas are more important than the far-off '*sadar*' (headquarters).

Every state in India follows a mixed pattern which includes both area and functional agencies. We may illustrate this point by giving the examples of the organization of the police, forests and revenue departments. Each of these departments has its own independent field hierarchy. The hierarchies of the departments of police and forest departments are given below :

TABLE III

## POLICE DEPARTMENT

## FOREST DEPARTMENT

Name of the unit	Designation of the officer-in-charge	Name of the Unit	Designation of the officer-in-charge
Head-quarters	Inspector-General of Police.	Head-quarters	Chief Conservator of Forests/Director of Forests.
Range	Deputy Inspector-General of Police.	Circle	Conservator of Forests.
District	District Superintendent of Police.	Division	District Forest Officer.
Circle	Circle Inspector of Police.	Sub-Division	Sub-Divisional Forest Officer.
Police Station	Sub-Inspector of Police.	Range	Range Forest Officer.
Village	Chaukidar, Patel or Headman.	Beat	Beat Guard.

The revenue department too has a similar hierarchy. At the headquarters stands the board of revenue ; below it comes the division with divisional commissioner-in-charge; the division is divided into districts under the charge of a collector/deputy commissioner; districts in turn are divided into sub-divisions under the charge of sub-divisional officers; these are further split into *tahsils*/*taluks* which are headed by the *tahsildar*; below the *tahsil* lies the *paragana*/revenue circle under the charge of a revenue inspector or *kanungo*; and then comes the lowest primary unit, namely, the village whose important official as the *patwari* or *lekhpal* or village accountant. However, these field units have special and unique importance. Ever since the Mauryan times revenue administration has occupied a special place



in Indian government. The Mughals and the British kept up this tradition. The revenue administration in India has always had more than mere revenue connotation ; it has included magisterial, executive and residuary functions. These revenue areas have, therefore, also been examples of area administration and the officers in-charge of these have functioned as "territorial officers in their respective areas."<sup>12</sup> A brief description of the above units of area administration at this stage will not be out of place.

**Village :** The ultimate unit for all fiscal and administrative purposes in all the states in the country is the village, which is administered by the village establishment consisting of *lekhpal* and *choukidar* in Uttar Pradesh, village headman and *karnum* in Tamil Nadu, and *patel* and *talati* in Maharashtra, assisted by a few other village servants. The village headman in Tamil Nadu is the most important functionary in the village. He is the head of the village police; it is his duty to collect the revenue dues of the government from various sources and to remit them into the treasury; he maintains birth and death registers; and is the custodian of all government properties in the village. Above all, he is the representative of the government in the area. His counterpart in Maharashtra is the *patel* who performs administrative, revenue and police duties. In Uttar Pradesh, there is no corresponding official. Next in importance is the official variously known as *lekhpal* (Uttar Pradesh), *Karnum* (Tamil Nadu) and *talati* (Maharashtra). He is the village accountant in charge of maintaining village revenue accounts and land records. But he is more than that. He is, in fact, a multipurpose official who helps the government in gathering all sorts of data and information. Some call him "the Kingpin of the revenue administration in the district."<sup>13</sup>

**Pargana/Firka/Circle :** The next unit in the revenue hierarchy is known as *pargana* in Uttar Pradesh, *firka* in Tamil Nadu and circle in Maharashtra. The Officer-in-charge of this unit is called supervisor *kanungo* in Uttar Pradesh, revenue inspector in Tamil Nadu and circle inspector in Maharashtra. He is in-charge of supervision over revenue administration and land records of every village under his charge. He may be regarded as the first-line supervisor in the chain of revenue administration. The *kanungo* is usually appointed by the collector. In some cases *patwaris* are promoted to this position but in both cases the appointee must undergo the training course in the training school concerned.

**Tahsil/Taluk/Taluka :** Above the circles or *parganas* are *tahsils* in

12. Shukla, J. D., *State and District Administration in India*, New Delhi, 1976, p. 81.

13. Khera, S. S., *District Administration in India*, New Delhi, 1964, p. 38.

Uttar Pradesh, *talukas* in Tamil Nadu and *talukas* or *mahals* in Maharashtra. In some states like Bengal and Bihar there are no *tahsils* and a sub-division is the unit below the district. In fact, these states have no *kanungos* and *patwaris*. This distinctive phenomenon is due to the prevalence in these states of the permanent settlement system of revenue administration. The *tahsil* is an old traditional unit found in pre-British rule. It is the basic unit for purposes of land revenue, land records, magistracy, treasury, general administration and a large number of other miscellaneous items of work. It is the office where many basic administrative records are kept. It has the closest contact with the rural people. In short, it is a miniature district where the offices of various field departments are located. The head of the *tahsil* in Uttar Pradesh is the *tahsildar* who is helped by one or more *naib-tahsildars*. In Tamil Nadu the *taluks* are in charge of *tahsildars* assisted by deputy *tahsildars*. This officer is known as the *mamlatdar* in Maharashtra but in the case of the *mahal* (which is a small *taluka*), his designation is the *mahalkar* who is a little lower in status to the *mamlatdar*. All these officers are executive magistrates, either of the first, second or third class, in their respective jurisdictions. Lastly, like the collector, the *tahsildar* is the principal government official and represents the state government at his level. Except to a limited extent in Maharashtra, *tahsildars* are not appointed directly; usually they are promoted from the posts of *naib-tahsildars* or *awwal karkun*.

**Revenue Division/Sub-Division :** Land revenue codes of various states provide for the division of a district into sub-divisions with a sub-divisional officer at its head. Similarly, the Criminal Procedure Code authorizes the government to divide a district into sub-divisions for purposes of criminal administration with a sub-divisional magistrate in-charge. In actual practice, the state governments have created a common sub-division for both revenue and criminal administration with a common officer as the head, known as the sub-divisional officer and the sub-divisional magistrate. In Maharashtra and Tamil Nadu there is an intermediate level between the *tahsil* and the district, known as revenue sub-division in the former and revenue division in the latter. There is no such level in Uttar Pradesh, where usually the *tahsil* itself constitutes a sub-division and consequently the officer-in-charge of a *tahsil* is known as the sub-divisional officer/sub-divisional magistrate. In Tamil Nadu districts are divided into divisions under the charge of revenue divisional officers or sub-collectors who belong to the Indian Administrative Service. Each division comprises two or more *taluks*. These officers serve as a link between the collector and the *taluk* officers. Maharashtra, too, has revenue sub-divisions or

*prants*. A *prant* consists generally of 3 to 5 *talukas* and is under the charge of an officer of the grade of an assistant collector (Indian Administrative Service) or a deputy collector (State Civil Service). The *prant* serves as an effective instrument of decentralization and in both Maharashtra and Tamil Nadu provides a training ground for the new recruits to the Indian Administrative Service. All such officers are vested with both revenue and magisterial functions. In Madhya Pradesh as well we find sub-divisions under the charge of deputy collectors. Previously both in Madhya Pradesh and Uttar Pradesh these officers used to be located at the district headquarters. Since the inception of the *janapada* set-up in Madhya Pradesh, however, the sub-divisional officers have moved out into their sub-divisions. In Uttar Pradesh as well orders have been issued recently for these officers to reside at the headquarters of their sub-divisions/*tahsils*. Earlier in Maharashtra as well the prevailing pattern was for the sub-divisional officer to reside at the district headquarters but the state government has recently issued orders for the sub-divisional officers to shift to their sub-divisional head-quarters. The sub-divisional officers belong to the state executive/administrative/civil service and are appointed by the state government which controls them. Like the collector, the sub-divisional officer also is an all purpose officer. "The Sub-Divisional Officer is an overall RME (Revenue, Magisterial and Executive) Officer in his sub-division; he is a territorial officer like the Collector in the district and tahsildar in the Tahsil, where he performs a number of functions and duties and emerges as the Chief Executive Officer and representative of Government in his area".<sup>14</sup>

**District Organisation :** We will discuss the organization, functions and role of this important unit of administration somewhat in detail. The district is the key unit of the state government in India to-day. In fact, the district has always existed as the unit of administration in some form throughout the long history of our country. Thus, the Mauryas, who established the first historically identified empire in India, with a view to administering their huge dominion efficiently and effectively, had divided it into provinces which were sub-divided into units known as *vishayas* and *pradeshas*. Ashoka's inscriptions refer to *rajukas* and *pradeshikas* as officers charged with the welfare of the *janapadas* and *pradeshas* or districts. Under the Guptas as well their extensive kingdom was divided into provinces which were again divided into *vishayas* or *mandalas* and the officer-in-charge of a *vishaya* was called *ayukta* or *vishayapati*. The Mughal emperors continued to follow this system and, for purpose of administration and revenue collection, divided their empire into provinces or *subahs*,

14. Shukla J. D., *op. cit.*, p. 107.

which in turn were sub-divided into *sarkars* or districts. Each *sarkar* was composed of a number of *parganas* and each *pargana* was a union of several villages. The *sarkar* was the counter-part of the modern district and the term is significant as it means "government in its total manifestation". The British saw no reason to depart from the age-old pattern of area administration and gave pride of place to the district as the basic unit of administration. Thus, under the British rule, the district became virtually a sort of sub-capital both in administrative and political sense. Independent India too has kept up the tradition and the district continues to retain its position as the pivot of the structure of administration and government in the state. It is at this level that the policies of the government are translated into practice and the problems of local people are studied and communicated to the state government. It is in the district that the big complex machine of government is in operation and it is by its accomplishments at this vital centre that we can measure the extent of success of governmental policies, plans and programmes. It may be truly said that the district is the unit of administration with which almost every citizen comes into contact. Every village and town in the country forms part of a district and there can hardly be found a citizen who cannot tell the name of his district. The district is also an important unit for electoral purposes and every political party attempts to build up a strong organization at this level. It is in this sense that the district can be described generally as the centre of political and administrative life.

The Study Team on District Administration of the Administrative Reforms Commission in its report (February 1967) has defined the district as "the most convenient geographical unit where the total apparatus of public administration can be concentrated, and where it comes into direct contact with the people". There is no state in the country which does not have districts but their size and population vary from one state to the other. Thus, the districts are smaller in Uttar Pradesh than in Madhya Pradesh, Maharashtra and Tamil Nadu. The optimum size of a district charge has been a matter of considerable discussion but no final formula for the ideal size of a district or for its population has emerged so far. However, of late, there has set in a trend in most of the states to divide large districts into smaller and more manageable ones. The total number of districts in the whole country on the basis of the 1971 Census was 360—343 districts in 22 states; 12 districts in the union territories of Arunachal Pradesh, Goa and Pondicherry; in addition there are 5 other union territories which themselves form districts.

**District Administration and its Tasks:** Most departments of the

state government outside the secretariat have external or field services which are located in the district. In certain cases even the union government has its field agencies located at this level. The sum total of the activities of these departments and some others connected with the affairs of the union government, together constitute the administrative machinery of the district. Thus the "district administration is the total functioning of government in a district ; that total and complex organization of the management of public affairs at work, dynamic and not static in the territory of geographically demarcated district . . . . District administration includes all the agencies of government, the individual officials and functionaries, public servants, . . . all institutions for the management of public affairs in the district, all the bodies corporate such as the *panchayats* of different kinds, . . . all advisory bodies associated with the administration."<sup>15</sup>

The tasks of district administration, thus, are many and varied. These may, for the sake of convenience, be grouped under six broad categories : regulatory, developmental, concerning local bodies, conducting elections, emergency and residuary. Obviously, the first two of these constitute the most important tasks. The regulatory functions include first and foremost the maintenance of law and order, control of crime and administration of justice. The departments mainly concerned with these functions are the magistracy, the police and the judiciary. The administration of jails may also be included here as the jail department generally works under the supervision of the district magistrate. Next to law and order comes land administration, which includes the assessment and collection of land revenue and other public dues which are collected as arrears of land revenue, such as sales tax, forest and excise dues, income tax, etc. Land administration requires the maintenance of elaborate land records and adjudication of disputes between government and private parties, and also between private parties themselves, regarding the correctness of the entries in land records. Under this heading can also be included subjects like land reforms, land acquisition, consolidation of agricultural holdings, etc. It is the collector who is mainly concerned with these activities but he is given additional help for any particular type of function. The third important group of regulatory and executive functions comprises control, regulation and distribution of food and civil supplies. Generally this task is assigned to the collector, who has a separate organization for the purpose under his command.

Under development come functions like agricultural production, co-operation, animal husbandry and fisheries and welfare activities like public health, education, social welfare of backward classes and com-

munications. Each of these activities is looked after by a separate specialist officer in the district. Prior to the introduction of the *panchayati raj*, the collector was closely connected with these activities. Since the introduction of the *panchayati raj*, however, development activities have been handed over to the elected bodies and the role of the collector in this field differs from state to state.

The third group of functions concerns the administration of local bodies, urban and rural. Municipalities, as units of local government, are to a large extent independent of district administration, but the collector is generally responsible for their supervision and proper functioning and has, therefore, been given certain powers of control. In respect of rural local government, the links with the collector are of a varied nature.

The fourth task concerns the holding of elections to parliament, the state legislature and local bodies. These functions are directly under the collector, who is responsible for the proper observance of the process of elections right from the registration of voters to the declaration of results. He also acts as the returning officer for the elections. This is a highly responsible and important task in a democracy.

The fifth task is related to emergencies and natural calamities, which include arrangements on the occasions of calamities like floods, famine, fire, earthquake, internal and external aggression, etc. If such a situation arises, the entire district administration is geared up to meet the threat and the collector is required to assume charge and take appropriate steps to alleviate the sufferings of the people.

Finally, we may group together the miscellaneous and residuary functions of the district administration. There are a number of executive functions of government which have not been precisely defined and there is no separate representative of government to carry out such duties in the district. It falls to the lot of the collector, in his capacity as the chief representative of government in the district, to deal with all residuary matters. In this group we may also include miscellaneous functions like grant of arms licences, their renewal, suspension and cancellation ; enforcement of special Acts ; small savings campaign ; publicity and public relations ; protocol duties ; attending numerous meetings and conferences, etc.

**Organization of District Administration :** The above-mentioned six tasks of district administration can be grouped for the sake of convenience under two broad heads, traditional or regulatory or non-developmental and modern or developmental. The Central Administrative Reforms Commission has also recommended that the district administration should be divided into two sectors—one concerned with

'regulatory' functions and the other with 'developmental' functions, and that the collector should be in-charge of the former and the *panchayati raj* institutions in the district should have the responsibility for the latter. The two wings of district administration are thus largely independent of each other. Under the former category are included all the regulatory, executive, general administration, miscellaneous and emergency activities. A survey of the history of Indian administration shows that in the early stages of evolution a single authority, represented by the collector/deputy commissioner, held direct charge of all these functions of government at the district level. In course of time, however, this unity of command was affected by two new developments—the introduction of local self-governing institutions and the setting up of new technical departments like education, police, public works, excise, jails, sanitation, land records, etc. This trend became more marked after the enactment of the Government of India Act of 1919 which not only devolved a lot of functions on the provincial governments but also introduced dyarchy in them. In consequence, almost every department of the provincial government set up its own field agency at the district level. These agencies have their own lines of command from the district upwards to the seat of provincial government. In other words, the area administration in the district was supplemented by a functional type of administration leading to multiplicity of command. This dichotomy has continued with varying emphasis right till this day. The district has thus become a sort of sub-capital where are located the district headquarters of the various technical departments. Their nomenclature as also the official designation of officers heading them differ from one state to the other, but the following may be said to be a representative list :

TABLE IV

Name of the Department	Designation of the District Head
1	3
1. Agriculture . . . . .	District Agriculture Officer/Assistant Director of Agriculture.
2. Backward Classes/Harijan Welfare . . . . .	Backward Classes Welfare Officer, Harijan Welfare Officer.
3. Co-operation . . . . .	Assistant/Deputy Registrar of Co-operative Societies.
4. Education . . . . .	District Education Officer/Inspector of Schools.
5. Employment . . . . .	District Employment Officer.
6. Excise . . . . .	District Excise Officer/Superintendent of Excise.
7. Forest . . . . .	Divisional/District Forest Officer.
8. Health and Family Planning . . . . .	District Health Officer.

9. Industries . . . . .	District Industries Officer/Assistant Director of Industries.
10. Jails . . . . .	Superintendent of Jails.
11. Judiciary . . . . .	District and Sessions Judge.
12. Labour . . . . .	Assistant Labour Commissioner/District Labour Officer.
13. Medical . . . . .	District Medical Officer/Civil Surgeon.
14. Panchayats/Panchayats and Social Services . . . . .	District Panchayat Officer.
15. Planning . . . . .	District Planning Officer.
16. Police . . . . .	District Superintendent of Police.
17. Publicity/Information . . . . .	District Publicity Officer/Assistant Director of Publicity.
18. Public Works . . . . .	Executive Engineer.
19. Registration . . . . .	Collector.
20. Revenue and General Administration . . . . .	Collector.
21. Sales Tax . . . . .	District Sales Tax Officer.
22. Statistics . . . . .	District Statistics Officer.
23. Treasury and Accounts . . . . .	District Accounts Officer/Treasury Officer.
24. Veterinary and Animal Husbandry . . . . .	District Veterinary Officer/Assistant Director of Veterinary Services.

**Role of the Collector in District Administration:** In the early days of the British rule upto the introduction of the Montagu-Chelmsford reforms in the early twenties, the collector was the sole head of the district administration and exercised a wide-ranging superintendence over his district. However, the period of dyarchy (1921—37) was one of ordeal for him. Various factors like the growth of rapid means of communication, the spread of education, the development of press, the introduction of local self-governing institutions and the growth of technical departments could not but have an impact in the adverse sense on the authority and prestige of the collector. Later, the introduction of provincial autonomy on April 1, 1937 resulted in enlarging the sphere of activity of the collector. Till 1937 his concentration was on public order, swift and impartial administration of justice, prompt collection of revenue and the correct maintenance of land records. But by 1939 his sphere of activities had come to include rural development, co-operative movement and the village *panchayats*. The problems created by the Second World War (1939—45) added new dimensions to the functions and duties of the district officer and imposed several additional responsibilities on that "omnibus" official. The dawn of independence in 1947 brought new problems for the country and the burden of these fell primarily on the already over-burdened shoulders of the collector. The introduction of the community development



programmes in 1952 and the inauguration of the *panchayati raj* in 1959 have completely changed the emphasis on the duties of this office. From the maintenance of law and order and the collection of revenue, the major emphasis has now shifted to the development of human and material resources and the elimination of poverty and want.

The collector, however, has continued to remain head of the district and in this capacity he performs a multitude of duties. As district magistrate, he is responsible for law and order; he is the head of the police and executive magistracy; he has powers under special acts and orders; and he is legal representative of government in matters like filing appeals against acquittals and representing government in civil suits, etc. As collector, he is the head of revenue administration, the highest revenue judicial authority in the district, and generally responsible for the collection of several taxes. As the executive head of the district, he has many responsibilities in the sphere of local bodies, elections, census and in all matters in which there is no separate officer at the district level.

However, since independence, the collector has lost his authority and powers in the field of regulatory administration in two important respects. Soon after coming into power of popular ministries in various states after the end of the Second World War, steps were taken to implement their declared policy of the separation of judiciary from the executive. Under the Criminal Procedure Code and various other statutes, the functions of a magistrate fall under three broad categories : (a) functions which are 'police' in their nature, e.g., the handling of unlawful assemblies; (b) functions of an administrative character, e.g., the issue of licences for firearms; and (c) functions which are essentially judicial, e.g., the trial of criminal cases. Prior to the introduction of the separation scheme, all these functions were concentrated in the collector as the district magistrate aided and assisted by a number of magistrates subordinate to and controlled by him. The essential feature of the new scheme is that purely judicial functions coming under category (c) above, have been transferred from the collector and his subordinate magistrates to a new set of officers who are under the control not of the collector but of the High Court. Functions under categories (a) and (b) above have continued to be discharged by the collector and the revenue officers subordinate to him. Both the new sets of officers in-charge of judicial functions and the revenue officers in-charge of the executive administration have been designated as magistrates to satisfy statutory requirements. To indicate the difference between them, however, the former category of officers is designated as judicial magistrates to distinguish them from the second category of executive magistrates.

This is the broad pattern common to all the states, but there are differences in details. Thus, in Tamil Nadu, the collector has ceased to be the district magistrate. Instead, a new officer known as the district magistrate has been appointed.

Another area in which the collector's authority has been diminished in some states is that of revenue. Tamil Nadu has gone furthest in giving relief to the collector in the field of revenue work by creating the post of the district revenue officer. This officer is a senior member of the State Civil Service or Indian Administrative Service. He deals with land revenue and general administration while the collector is engaged mainly in developmental work. In Maharashtra, the relief given to the collector in revenue matters is that the collection of land revenue has been transferred to the *gram panchayats* which have also been made responsible for the maintenance of record of rights in land. The power to use certain stringent measures to realise land revenue, however, continues to be vested in the collector.

The role of the collector in development administration was examined at some length by the Study Team on District Administration appointed by the Administrative Reforms Commission. The Team was firmly of the view that all development functions should be the sole responsibility of the *panchayati raj* institutions and that, except for certain general powers of supervision and control, the collector should be relieved of the responsibility in the field. The Administrative Reforms Commission considered the views of the Study Team and recommended that "while the administration of development work in a district should be separated from regulatory functions and entrusted to the Panchayati Raj institutions adequate safeguards should be provided to ensure that development administration is conducted on sound and proper lines and that there is no abuse of power or authority. For this purpose, the collector should have powers to obtain information regarding the working of these institutions so that he may be able to give timely and proper advice when necessary in public interest. It should be clearly understood that this advisory role does not empower him to exercise supervisory and controlling authority over the working of the Panchayati Raj institutions".<sup>16</sup>

**Relationship between the Collector and Technical Departments :** A perusal of the list of departments at the district level in Table III shows that the collector is the direct head of only a few departments like revenue, general administration and registration : all the rest have their own independent departmental heads. The relationship

16. *Report of the Study Team (Administrative Reforms Commission) on State Level Administration*, New Delhi, 1968, pp. 49-50.

between the collector and these heads has always posed a difficult problem in district administration. In course of time, these departments have tended to get independent of the control and authority of the collector. Two reasons have been, mainly responsible for it. First, each of these technical departments is under the charge of an independent and separate minister who naturally dislikes interference from outsiders in the matters pertaining to his department. Secondly, as these departmental heads are specialists, they usually have a distrust of the generalist collector and look askance at any attempt by the latter to intervene in their affairs. The creation of regional officers in almost all technical departments has further aggravated the problem since the district officials tend to look to them for guidance in matters where formerly they would have sought the advice of the collector. With the police, however, the collector has special links. He is *ex-officio* (except in Tamil Nadu) district magistrate and as such responsible for the maintenance of law and order. His relations with the departments of publicity and information and jail are also close.

In brief, in theory, the various departmental heads are generally independent of the collector. However, in practice, the collector is free to visit any such office, offer his suggestions and advice and write to the head of the department at the capital about the conduct of any employee of the department in the district. In Maharashtra, for example, the state government has authorized the collectors to pay "co-ordination visits" to other officers and has nominated them as representatives of the Inspection and Organisation and Methods Section at the district level. His influence is further strengthened by the fact that a part of the confidential reports of almost all district officers is written by him and considerable weight is attached to the opinion expressed by the collector. Moreover, the departmental heads have to depend on the good-will of the collector in multifarious ways, for example, in matters like land acquisition, law and order, transport, public relations, visits of VIPs, emergencies like flood, fire, etc. Above all the collector is the representative of the state government in the district and what is more he also represents public interest in a sense more comprehensive than is the case with other departmental officers. Thus, the latter find it in their own interest to keep the collector in good humour. The collector, thus, is easily *primus inter pares* or the captain of the team and is responsible to the state government for the co-ordination of the activities of government departments in the district for their proper functioning.

**New Dimensions of District Administration :** Consequent upon the metamorphosis in the purpose, nature and scope of governmental func-

tions since independence, the district administration has acquired a new dimension. The Republic of India is pledged to the development of human and material resources with a view to eliminating poverty and want of teeming millions. Along with this economic justice, it is also committed to the ushering in of a socially just society. The realisation of this two-fold objective has led the government to traverse untrodden paths and explore unknown realms. Strange though it may seem, the shift in emphasis on developmental functions has not diminished the importance of regulatory functions. In fact, the maintenance of law and order has perhaps never required so much attention as during the last thirty years. Indeed, development and progress can be built upon only a peaceful and law-abiding society.

All this has resulted in adding to the functions of the already over-worked collector. It is perhaps not possible to compile a totally complete list of the duties, functions and activities of the collector. In addition to his regulatory and developmental duties and responsibilities, the collector has now many other functions to perform and varied activities to look after. For example, there are numerous institutions of which he is the president. Then, there are frequent visits by scores of experts, technicians and specialists on the one hand and the VIPs on the other hand, and the collector is expected to make all necessary arrangements for them. Another time-consumer is the celebration of days, weeks and fortnights, nothing to say of jubilees and centenaries. One more activity that takes considerable time of the collector is receiving visitors. With the advent of democratic rule, he has to meet district politicians and leaders and listen to their problems. In the course of his work he has to maintain close and frequent contacts with all sections of the people and grant interviews. He is also increasingly in demand for functions outside the strict official beat like presiding over non-political meetings and functions or opening and laying the foundation stones for schools, dispensaries and the like.

Another noticeable change that has come about in the role of the collector during recent years is that from a line official *par excellence* he is being transformed into a staff official. Now he does less original work and spends more of his time on the staff functions of supervision, control, co-ordination, integration of schemes and plans, building up personnel, eliciting the co-operation and participation of the people, informing and educating the public, etc. As the pressure on government to redress the grievances of the citizens grows, suggestions are being made to bring the collector more and more in the picture. The Administrative Reforms Commission has recommended that the collector's tour should be utilised for enquiring into public grie-

vances and taking remedial action on the spot. Still more recently, the Chief Minister of Uttar Pradesh suggested that the collectors should hold regular '*durbars*' to hear citizens' grievances.

In the 1960's a lively controversy arose on the future role and status of the revenue officers headed by the collector in the field of district administration, and for the first time since 1858, doubts were raised regarding the utility of the office of the collector in the traditional form. The ultimate aim of the ushering in of the *panchayati raj* was to introduce a sort of responsible rule at the district level, which naturally would have led to the "withering away" of the collector as the district officer in the traditional sense. However, taking all in all, "the citadel of the Collector, though shaken a bit (has) stood intact against the prevailing winds." Three factors explain this phenomenon. In the first place, we inherited from the British government the unique office of the collector who formed the kernel of the famous 'steel frame' of Indian bureaucracy, and traditions die hard. Secondly, the collector has been in a unique sense the representative of the public interest as no other officer at the district level can claim. Lastly, the public has looked upon the collector for over 200 years as the formal embodiment of the '*sarkar*' at the district level and has expected him to act as the point of final reference. For the government itself the collector has been described as its "eyes and ears" and has been used as an omnibus instrument for performing any function at any time. Undoubtedly, this pivotal office has experienced ups and downs during the course of its long history, but the confident assertion of the Simon Commission still remains true that "by whatever constitution India may be ruled, no government will be able to do without the District Officer."

**Divisional Commissioners :** In the chain of revenue and "area" administration, the unit above the district is the 'division'. A division may be described as the administrative area between the district and the state government comprising 3 to 6 districts, the number varying from state to state and from division to division within a state itself. The officer-in-charge of this area is called the commissioner. The commissioner is a senior member of the Indian Administrative Service in the super-time scale (2500-2750) and before his appointment to this high office should have gathered varied experience, having served in different capacities like the collector, head of an executive department, deputy secretary/Secretary to the state government and may have even served a tenure in the union government. The post was first created in 1829 when the then Bengal Government\* established an intermediate authority between the collector and the headquarters

\*The Bengal Presidency at that time included the territories of Bihar, Orissa and the North-Western Provinces (later called the United Provinces minus Oudh).

administration in the form of commissioners of divisions, each of which contained several districts. The next year the then Bombay Government also created this post. The appointment of commissioners in the subsequently acquired provinces of the Punjab, Burma, Oudh and the Central Provinces followed in due course. Thus, before independence, every province in India except Madras had divisional commissioners. The divisional commissioner was primarily a revenue official and in that capacity he not only heard appeals in revenue cases from subordinate revenue authorities but also acted as an inspecting and supervisory authority over collectors and their subordinate revenue officials both in their revenue and magisterial capacities. He also had very definite position as a controlling and occasionally as an appellate officer in respect of the work of district boards and municipalities. In addition, he was vested with the authority to coordinate the work of all departments at the divisional level. These officers, thus, acquired immense authority and prestige and very senior officials were appointed to this position.

However, a considerable volume of public opinion in India has for a long time considered the commissioner as an unnecessary appendage and there has been a tendency in some quarters to think that he had little direct contact with the general public and to regard the office as little more than a highly paid promotion post for the senior members of the civil service. Thus, as early as in 1907, a demand supported by non-official public opinion for the abolition of the posts of divisional commissioners was placed before the Royal Commission on Decentralization (1907-09). Some witnesses, in their evidence before the Commission, described the commissioners as "merely a channel of communication between the district officers and the Government". Others described them as "kings whose subjects are unconscious of their existence" and who wielded "some influence but no control". The Commission, after examining the divergent opinions on the question, recommended the retention of the office. The issue, however, never got finally settled, and it cropped up again and again, particularly at the time of the introduction of constitutional reforms in 1919, 1935 and 1947. After independence, the state governments, freed from the restraining hand of the British Governors and the central government, felt free to experiment with changes in the traditional revenue set-up. Thus the states of Madhya Pradesh, Maharashtra, Rajasthan and Gujarat abolished the posts of divisional commissioners in 1948, 1950, 1961 and 1964 respectively. However, Madhya Pradesh and Maharashtra had to revert to the earlier set-up in 1956 and 1958 respectively. Assam too experimented with the abolition and later restitution of the post. In Uttar Pradesh the office was not abo-

lished but the number of commissionerships was reduced from 9 to 3 and their functions and powers were drastically cut down, their administrative and miscellaneous functions having been taken away from them and distributed among departments. This experiment too failed and the government subsequently had to restore the powers and number of commissionerships.

The main arguments adduced to support the case for the abolition of commissionerships were based on three considerations namely administrative, financial and political. In the field of administration, the commissioners were described as "the fifth wheel in the coach", "superfluous layer in the hierarchy", "a mere post office", etc. There was a financial angle also of the problem. As a senior member of the Indian Civil Service/Indian Administrative Service, the commissioner was a highly paid officer and the abolition of the post was recommended on grounds of economy. Thirdly, the issue had political overtones. It is revealing to recall that whenever constitutional reforms were on the anvil, the government itself felt the need to examine the utility of the institution in the context of the changed set-up. This office, perhaps owing to its high emoluments, vast authority, high status and prestige, came to be associated in public mind as the symbol of colonial rule and so became the first target of attack soon after independence. An important factor in the popular demand was the desire to demolish one of the strongholds of bureaucracy.

The case for the retention of these posts has been based mainly on administrative grounds : (i) commissioners should be retained as a valuable link in the chain of administration between districts and the state headquarters. A system of decentralization must necessarily include devolution of greater powers to officers possessed of wide experience and with ample opportunities for keeping in touch with the people. In the words of the *Simon Commission Report* (1930) "the tradition of official administration in India is against the creation of large central establishments ;" (ii) the importance of the commissioner as a regional co-ordinating authority for technical departments has been often emphasized ; (iii) the commissioner is in the best position to help, guide and advise the collectors in his division. At the same time, his advice to headquarters is likely to be more mature and comprehensive than that of the collector ; and (iv) the role of the commissioner as the "area" representative of the state government is a special one and in the interest of good administration cannot be terminated. It has been emphasized that the commissioners are "government" in their divisions as opposed to other departmental officers who represented only their departments. The Decentralization Commission's (1907-09) observations in this connection are worth

quoting : "In a country like India, it is specially important to preserve any system of government by professional experts.....It is a distinct weakness in an oriental country that there should be no local officer to whom the people can go with general grievances, and that they should come to regard the Government as a mere collection of scattered and independent departments".

In this connection it is interesting to note that while the Administrative Reforms Commission Study Team on State Level Administration came to the conclusion "that in the interest of regional co-ordination, it is necessary to have this post," the Commission in its report on State Administration observed : "we do not agree with the Study Team that there should be an intermediate level of administration between the district and the Government".

The functions of the commissioner may now be briefly summed up under six categories—judicial, statutory, financial, general administrative, developmental and supervisory and co-ordinative. Judicial powers include the power to hear appeals in revenue matters from district officers under various rent, revenue and tenancy laws. Statutory powers include powers conferred on him by various acts and administrative orders in the fields of police, land acquisition, local government transport and other matters. Under financial powers come powers like forwarding of budget estimates for temporary establishments received from the districts to the state government, sanctioning of temporary staff for district revenue officers, supervision of collection of land revenue, water rates, cesses, motor vehicles tax, excise duties, sales tax, stamps, registration fees, etc. and grant of loans and their realisation. Under general administration fall his overall authority in the sphere of the maintenance of law and order. He enjoys supervisory powers with regard to the district magistrate's responsibility for maintenance of law and order and jail administration. His concurrence is also required for the issuance of certain types of firearms and their cancellation. His powers under crisis and emergency also fall in this category. In the field of development, the commissioner has to keep a vigilant eye on the developmental activities going on in the districts within his division. District officers engaged in developmental activities are expected to give maximum co-operation to him in the implementation of development plans. In Bihar, for instance the divisional commissioner is the "head of all developmental activities in his division. He is a nodal point of administration and has to act as the representative of the Government in executing all plan programmes of the Government. More than administration relating to the maintenance of law and order, the Divisional Commissioner, it is felt, has to devote most of his time



to developmental activities and in bringing to fruitful execution of plans specially the five year plans.”<sup>17</sup> His supervisory and co-ordinative functions are perhaps most important. Inspection of district, sub-divisional and *tahsil* offices constitutes an important aspect of this function. To bring about co-ordination between the work of divisional officers of various departments is the key role of the commissioner. In West Bengal the supervisory power of the commissioner includes “(i) overall supervision of general administration, law and order, land reforms, land management, food and relief administration and activities in the division of all departments/directorates; and (ii) overall supervision of implementation of plans and non-plan development schemes, inspection of maintenance work, periodical check-up of progress of work with particular reference to important schemes or schemes covering more than one district, removing procedural difficulties in administrative matters.”<sup>18</sup> In addition to the functions listed above the commissioner is vested with several miscellaneous functions which include “inspection of district, sub-divisional and tehsil offices ; consolidation of various statistics for the division ; disbursement of some grants ; a large number of reports and returns in the division sent to government or the Board of Revenue, special reports including confidential reports ; grant of certain types of licences for the fire arms ; the sanction of certain rewards ; allocation of village police and the assessment of the cost of additional police ; inspection of jails and chairmanship of revision boards ; general supervision over excise department ; chairman of regional transport authorities ; recommendations for filing government appeals ; certain routine duties with regard to revenue buildings ; control over certain forests ; writing off of losses and stamps, etc. ; temporary establishments in revenue offices ; general supervision over collection of land revenue, canal dues and other dues ; special responsibilities in the acquisition of lands ; recommendations for conferment of magisterial and revenue powers on various officers ; management of government estates ; detailed duties with regard to *taccavi* and land records ; *nazul* ; agricultural income tax ; some duties with regard to the treasuries, etc.”<sup>19</sup>

**Regional Offices :** From this point of view the executive departments at the state headquarters are organised on one of the three patterns : (i) departments which have regional offices under them above the district level ; (ii) departments which do not have

17. Dubashi, P. R., *The Divisional Commissioner in Indian Administration*, published in the *Indian Journal of Public Administration*, January-March 1977, p. 11.

18. *Ibid.*, p. 10.

19. Shukla, J. D., *op. cit.*, pp. 356-57.

such area offices and are instead functionally divided ; and (iii) departments which are organised on both area and functional basis. Under the first category fall departments like revenue with its regional office at the division under the commissioner ; police with its range under the deputy inspector-general of police ; forest with its circle under the conservator of forests ; Public Works Department (in all its three branches—civil, mechanical and electrical) with its circle under the superintending engineer, education with its division under the divisional superintendent in Madhya Pradesh or regional deputy directors of education in Maharashtra; transport with its region in-charge of regional transport officers, etc. The second category includes departments like agriculture in Maharashtra where the director of agriculture is assisted at headquarters by four joint directors of agriculture respectively in-charge of agricultural education, soil conservation and agricultural engineering, administration and research and agricultural extension ; Directorate of Medical and Health Services and Family Planning in Uttar Pradesh where the director is assisted by an additional director (administration), an additional director (health), a joint director (medical education), and a joint director (family planning) dealing with different sections of departmental activities at the headquarters. Other departments that come in this category are jails, registration, *panchayati raj*, etc. A good example of the third category is the Co-operative Department in Uttar Pradesh. The registrar of co-operative societies is the head of the department. He is assisted at the headquarters by three additional registrars in-charge of marketing, development and consumers' co-operatives respectively, and five deputy registrars in-charge of different aspects of the department. In addition there are ten regional offices under the charge of a deputy registrar. It is note-worthy that there is no uniformity in these matters between different states and even in the same state there is no uniformity between various executive departments.

Thus, several executive departments have regional offices interposed between the state headquarters and the district organisation. However, the territorial jurisdiction of regional offices of different departments are not co-terminous, thus making the task of co-ordination among them difficult. Our study shows that the number of departments having regional offices is constantly on the increase. As regards the functions of these offices, there is a general agreement. For example, it is agreed on all hands that the regional level offices should not act as a mere channel of communication between the district level offices and the heads of executive departments in matters in which advice or orders of the heads of departments are required. The main functions of these offices are :

- (i) to supervise and control the work of the offices at the district and sub-district levels ;
- (ii) to relieve the head of the department of part of his work. This will necessitate delegation of substantial powers to these officers to enable them to take final decisions at a level nearer to the people of the region ; and
- (iii) to act as evaluation agency. The responsibility for the achievement of the prescribed development targets and for making administrative arrangements for supply of in-puts should be vested in them.

According to the Rajasthan Administrative Reforms Committee (1962-63), "...primarily the regional level officers should concern themselves with field activities ; they should undertake an adequate number of tours and inspections and give useful guidance to the departmental officers working in the field ; they should also apprise themselves, through spot visits and discussions with the people, of the manner in which the departmental programmes are actually being implemented, and thus identify the spheres in which improvements can be brought about".

As noted above, not all departments have regional offices because it is not necessary that all should have them. The need for such offices arises out of the nature of departmental work. The Administrative Reforms Commission Report on State Administration spelt out certain criteria which must be fulfilled before deciding upon the setting up of a regional office viz.,

- “(a) the work of supervision and control thrown up by the local offices is so voluminous that it would not be possible for the Head of the Department to do it effectively ;
- (b) the size of the set-up required for the office of the Head of the Department is such that the work could be devolved on regional offices at no appreciable higher cost ;
- (c) the operations are far-flung geographically, so that central control would involve higher costs of administration on account of touring, etc. ; and
- (d) supervision and control at an intermediate level is warranted by administrative needs and the nature of work devolving on the organisation.”

### III. Special Agencies of Government

By “special agencies” we mean agencies which are distinctive either in terms of their appointment/composition or/and the nature of their

tasks and duties. Under this head we shall discuss four agencies—Advocate-General, Board of Revenue, State Public Service Commission and Vigilance Commission.

**Advocate-General :** Article 165 of the Constitution provides for the office of an Advocate-General, which is a counter-part of the office of the Attorney-General provided for in the union government by Article 76. The Advocate-General is appointed by the Governor, of course, with the consent of the State Cabinet. He holds office during the pleasure of the Governor, but, in actual practice, convention has evolved by which the Advocate-General holds office during the tenure of the ministry appointing him and resigns when that ministry quits. Thus, though strictly not a political office, yet it has turned out to be so. The only qualification laid down is that he should be qualified to be a judge of the High Court. There is no age limit prescribed for the office and there is no bar to a person being appointed Advocate-General after the age of 62 years or to his continuing in office after attaining the age of 65 years. He is remunerated partly by a fixed salary and partly in the form of fees for appearing in certain categories of cases. Subject to certain restrictions he is permitted to appear for or to advise parties other than the government. He is given a fixed monthly allowance, in addition to his salary, for the maintenance of an office. Though not a member of the state legislature, he is empowered to attend it when called upon to explain certain legal technicalities. He has the right to speak and take part in the proceedings of the state legislature. However, he attends all meetings of Select Committees on bills introduced in either house of legislature and such other committees as he may be directed to attend.

This being a statutory appointment, he performs all such functions as are enjoined on him by law. He is the highest legal adviser to the state government and appears on its behalf in almost all important cases in the Supreme Court and the High Court and also in a subordinate court, whenever asked by the government. He is also the public prosecutor in all cases coming up before the High Court in exercise of its original criminal jurisdiction. Secondly, his legislative function is to examine all bills drafted by the departments. In the third place, for administrative purposes, he enjoys the status of the head of a department. He is in overall charge of the state law officers at the High Court and supervises the work of government advocate, his deputies and assistants. For administrative purposes he maintains his own office and staff at the headquarters of the High Court.

**Board of Revenue :** The Board of Revenue was initially conceived during the regime of the East India Company as an agency to help the Company's government in detailed work in the fields of revenue and ad-

ministration. The Britishers had discovered "a synthesis between the collection of revenue and the general administration".<sup>20</sup> The first Board of Revenue was set up in Bengal in 1786. Madras soon followed suit. In course of time this organization came to be set up in most of other provinces. Thus, to-day we find a Board of Revenue in all states except Andhra Pradesh, Gujarat and Maharashtra (which have Revenue Tribunals) and Haryana, Himachal Pradesh, Jammu and Kashmir and Punjab which have one or more financial commissioners instead of a Board.

The Board of Revenue is an unique institution and has the following distinctive characteristics :

- (i) It is perhaps one of the earliest governmental agencies set up by the Britishers in this country.
- (ii) The Board has a statutory base, that is, it is created by an act and is a body corporate.
- (iii) This organisation consists of a group of members who divide among themselves the subjects to be dealt with but as a joint body, they have collective responsibility.
- (iv) It forms a link between the state government and the regional and district administration.
- (v) It has held a peculiar position of semi-independence of the government.
- (vi) Unlike a unifunctional department, it performs a multiplicity of functions and is thus connected with a number of departments.
- (vii) It is prestigious body and its advice to government was highly valued in the past and even to-day the position remains largely unchanged in Tamil Nadu.

"The Board of Revenue is as unique in its constitution and composition as in its evolution. It represents a classic deviation from the general pattern of executive departments. This may be attributed to its peculiar synthesis of administrative, advisory, and quasi-judicial functions. It is responsible for earning and supervising more than eighty per cent of state revenues and the machinery charged with them. It manages the affairs of personnel numbering more than 1,25,000. It tenders advice to the government on administrative policy matters. It is the highest revenue court in the state. If its functions, particularly advisory and quasi-judicial, have entailed its authors to provide it with statutory foundation, the latter has conceded it a position not known to any executive agency".<sup>21</sup>

20. *Proceedings of the Conference on Revenue Boards and Divisional Commissioners* held at Bhubaneswar by the Indian Institute of Public Administration in April 1961, p. 6.

21. Umapathy, N., *The Board of Revenue in Andhra Pradesh*, Hyderabad, 1976, p. 25.

We will now, by way of illustration take up the Board of Revenue in Andhra Pradesh and briefly describe its composition and functions. The Board being the creation of an enactment, its composition, powers and functions are governed by laws and executive orders. The Board consists of five members including the First Member who is the senior-most and presides over the meetings of the Board. All other members are equal in status. The members of the Board are selected out of senior Indian Administrative Service officers and are placed in the super-time scale of pay (Rs. 2500-2750) except the First Member who draws a salary of Rs. 3000 per month. The Board members enjoy a status equal to that of the Chief Secretary. There is no fixed tenure for the members.

In the interest of convenient transaction of business by the Board, there is distribution of business among the members. All subjects falling within the jurisdiction of the Board have been divided into 8 categories as follows :

- (i) Subjects reserved for disposal by full Board, e.g., acts and bills, creation of districts, divisions and taluks, fundamental changes in policy, etc.
- (ii) Subjects reserved for disposal by the Collective Board (minimum three members) e.g., licences for the use of lands and buildings, exemption of land revenue, etc.
- (iii) Subjects reserved for disposal by two members, e.g., *Jama-bandi* reports, conduct of gazetted officers other than Indian Administrative Service officers, selection of persons for appointment as *tahsildars*, etc.
- (iv) Subjects reserved for disposal by first member (commissioner of land revenue and tribal welfare).
- (v) Subjects reserved for disposal by second member (commissioner of survey and settlements).
- (vi) Subjects reserved for disposal by third member (commissioner for commercial taxes).
- (vii) Subjects reserved for disposal by the fourth member (commissioner for excise, civil supplies and relief).
- (viii) Subjects reserved for disposal by the fifth member (commissioner of irrigation and ayacut development).

It should be noted that in whatever way orders are given, they are treated as the orders of the Board. It is also clear from the above that the Board is a functional organization comprised of five commissioners, each in-charge of a specific portfolio.

The Board derives its authority from a number of statutes and executive orders issued from time to time. These executive orders many times delegate administrative and financial powers to the Board. Its

functions may be divided under three broad categories—quasi-judicial, administrative and advisory. The Board acts as an appellate court under a number of revenue and miscellaneous legal enactments. The appellate functions relate to appeals or petitions filed against orders passed by revenue authorities like the collector and the commissioner. "The administrative functions of the Board consist of four broad components : (i) executive direction, (ii) supervision, (iii) co-ordination, and (iv) personnel management".<sup>22</sup>

The Board exercises supervision over collection of land revenue, *taccavi* loans and irrigation dues, land records administration, etc. It issues directives in matters like the implementation of the programme for land assignments and administration of the estates taken over. As regards co-ordination, the very nature of its composition and way of working emphasises its co-ordinating role. In the field of personnel, the Board is in-charge of selection and appointment of certain officials like *tahsildars* and *naib tahsildars*, their placement, transfer and promotion. Lastly, the Board advises the state government in all matters of revenue policy and supplies material required for bringing about new legislation and making changes in the old laws connected with revenue administration. Sometimes the government seeks its assistance in investigating certain problems ; at other times it may use it as a fact-finding agency.

A brief mention may now be made of the Uttar Pradesh pattern where since 1947-48 the Board has been divided into two distinct wings—judicial located at Allahabad and the administrative at Lucknow. The Allahabad wing has three members who are exclusively engaged in judicial work. They are assisted in their work by a registrar. The Lucknow wing comprises three members : member (taxation), member (land reforms) and member (administration) who is designated as chairman of the Board. The member in-charge of administration is mainly engaged in inspectorial and supervisory work over subordinate revenue officers.

As mentioned above, Maharashtra has no Board of Revenue ; instead it has a Revenue Tribunal established under the Bombay Revenue Tribunal Act of 1957. The Tribunal consists of the President and 14 members. These members are appointed by the state government subject to certain qualifications laid down by the Maharashtra Land Revenue (Revenue Tribunal) Rules, 1967. Their term of office and conditions of service are laid down by the government. The headquarters of the Tribunal are at Bombay but Nagpur, Poona and Aurangabad are the other places where it generally sits outside Bombay. The Tribunal may sit singly or in benches. "The Tribunal has jurisdiction

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22. *Ibid.*, p. 74.

to hear appeals against orders of officers not below the rank of Collector under certain provisions of the law relating to land revenue, tenancy, the abolition of special tenures, *jagirs*, *inams*, *watans*, etc., and fixation of ceilings on holdings of agricultural lands. The Tribunal has jurisdiction to entertain applications for revision from orders or decisions of officers not below the rank of Collector in appeal against orders or decision of subordinate authorities. . . . . Where the Tribunal has jurisdiction no other officer or authority has jurisdiction to entertain appeals or applications for revision".<sup>23</sup> It also has the powers of a civil court in certain matters. No appeal lies to the government against any order passed by the Tribunal.

However, as in the case of the divisional commissioners, the evolution of the Board has been accompanied by ill omen. The question of change in the functions and status of the Board came up before the Decentralization Commission in 1907, and after the ushering in of the Montford reforms in 1921, one of the first resolutions passed by the elected Legislative Council of Uttar Pradesh was to recommend the abolition of the Board. Numerous changes have been made in the composition and functions of the Revenue Board in Uttar Pradesh ever since, particularly after independence. In recent years the Administrative Reforms Committee of Andhra Pradesh (1964-65) noted that "there has been persistent criticism both in the Legislature and outside that the Board is a relic of the past, that it has outlived its utility and that it is today a source of delay and vexation to all concerned." It further observed that "under the present altered conditions, there is no advantage in having a Board of Revenue" and that "the functions which it is discharging could as well be performed by constituting a few separate Heads of Departments." The Administrative Reforms Commission Study Team on State Level Administration (1968) examined the question of the continuance of the Board as well as the divisional commissioners and recommended "that where both the Board of Revenue and the Divisional Commissioners are functioning, the Board should be abolished. Where only the Board of Revenue is functioning, it should be abolished and Divisional Commissioners appointed". The Commission itself in its report on State Administration (November, 1969) recommended that "where Boards of Revenue decide revenue appeals, the appellate work may be transferred to Revenue Tribunals consisting of a judicial officer qualified to be a judge of the High Court and a senior revenue officer. In small States, the administrative and advisory work of the Board of Revenue may be taken over by the Secretariat. In a large State, where there is no separate Head of Department in-charge of land revenue and allied matters, the States may decide. . . .

23. *Organisation of Government in Maharashtra*, Bombay, 1965, pp. 376-77.



whether the administrative and advisory functions relating to tax administration, land revenue and allied matters should be entrusted to a Board or should be left over to the Secretariat itself." Such criticism of the Board did have its effect and the Andhra Pradesh Government decided in October 1976 to abolish the Board of Revenue, and effect was given to this decision in February, 1977. In place of the Board a number of commissioners have been appointed like the commissioner for land revenue, commissioner for excise, commissioner for commercial taxes, etc.

**State Public Service Commissions:** The case for establishing a Public Service Commission in India was well brought out by the Royal Commission on the Superior Civil Service under the chairmanship of Viscount Lee when in its report in 1924 it made the following observations :

"Wherever democratic institutions exist, experience has shown that to secure an efficient Civil Service it is essential to protect it as far as possible from political or personal influence and to give it that position of stability and security which is vital to its successful working as the impartial and efficient instrument, by which Government of whatever political complexion may give effect to their policies. In countries where this principle has been neglected, and where the 'spoils system' has taken its place, an inefficient and disorganized Civil Service has been the inevitable result and corruption has been rampant. In America a Civil Service Commission has been constituted to control recruitment of the Services.....Canada, Australia and South Africa now possess Public or Civil Service Acts, regulating the position and control of the Public Service Commission to which the duty of administering the Act is entrusted. It was this need which the framers of the Government of India Act had in mind when they made provision in Section 96-C for the establishment of a Public Service Commission".<sup>24</sup>

Following the recommendations of the Lee Commission, a Central Public Service Commission was established in India in 1926. The recommendation of the Commission to set up similar commissions in the provinces was not given effect and the Central Public Service Commission had to make recruitment to the provincial services. It was the Act of 1935 which in Section 264 provided for the establishment of a Public Service Commission for each province or for a group of two or more provinces. With the coming into force of this Act on April 1, 1937, Public Service Commissions were set up in many provinces. At the same time some provinces like Bihar, Central Provinces and Berar

24. Zaheer, M. & Gupta, J., *The Organization of the Government of Uttar Pradesh*, Delhi, 1970, p. 73.

and Orissa were given a joint Public Service Commission. Articles 315 to 323 of Part XIV of the new Constitution have continued the earlier arrangement. In this connection it is noteworthy that unlike Britain and the United States of America, where the Civil Service Commissions are the mere creations of the respective legislature, in India the Public Service Commissions have constitutional basis and are thus in a stronger position.

Like its predecessor the Government of India Act of 1935, Article 315, Section (1) of the new Constitution also provides for a Public Service Commission in each state. The next Section provides that "two or more States may agree that there shall be one Public Service Commission for that group of States, and if a resolution to that effect is passed by the House or, where there are two Houses, by each House of the Legislature of each of these States, Parliament may by law provide for the appointment of a Joint State Public Service Commission to serve the needs of those States." Section (4) of the same Article provides "The Public Service Commission for the Union, if requested so to do by the Governor..... of a State, may with the approval of the President, agree to serve all or any of the needs of the State." In brief, the position is that either a state may have its own Commission or two or more states may have a Joint Commission or a state may request the Union Public Service Commission to serve its needs. To-day each state has its own Public Service Commission and the Union Public Service Commission helps the union territories in recruitment to their services.

There is no uniformity as regards the number of members constituting the Commissions in different states. Thus the state of Uttar Pradesh has a Chairman and seven other members while Assam has only two members in addition to the Chairman. The Chairman and members of the Commission are appointed by the Governor, of course, with the advice of the Cabinet. The Constitution provides that as far as may be, at least half the number of members have to be persons who have held office for at least ten years under the government of India or a state government. This provision has been inserted obviously to guarantee the presence on the Commission of sufficient official experience. In actual practice, it has been found that there has been, in general, a preponderance of official element in the composition of the Commissions. A member holds office for a term of six years or until the attainment of the age of sixty years, whichever is earlier. The conditions of service of the members are more or less the same as those of the Union Public Service Commission except that their salary varies from state to state. The expenses of the State Public Service Commissions are charged on the Consolidated Fund of the state.

In order to ensure the independence of the Commission, the Constitution debars the Chairman and members from reappointment to the same office, nor can they undertake any further employment under the union or the state government except the chairmanship of a State Public Service Commission or the chairmanship or membership of the Union Public Service Commission. Secondly, Article 317 provides that the Chairman or a member of a Commission can be removed from office by order of the President on the ground of misbehaviour only after the Supreme Court, on a reference being made to it by the President, has on enquiry recommended such removal. A Chairman/member would be deemed guilty of misbehaviour, if he becomes interested in any government contract or agreement or participates in any way in its profit or in any monetary benefit arising from it otherwise than as a member. Article 317 also provides that the President may by order remove the Chairman or any other member, if he is adjudged as an insolvent or engages during his term of office in any paid employment outside the duties of his office or is in his opinion infirm of body or mind. Lastly, the conditions of the service of the member cannot be varied to his disadvantage after his appointment and his salary and other emoluments are not votable by the state legislature concerned.

As prescribed in Article 320, the functions of the Commission fall under two categories—administrative and advisory. Administrative functions include the holding of examinations for appointments to the state services. Such examinations may be written or by interview or both. The matters regarding which consultation by the state government is mandatory are—

- (i) matters relating to methods of recruitment to civil services and civil posts ;
- (ii) principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions and transfers ;
- (iii) all disciplinary matters affecting a person serving under the government of the state in a civil capacity including memorials or petitions relating to such matters ;
- (iv) any claim by or in respect of any person who is serving or has served under the state government in a civil capacity, that the costs incurred by him in defending legal proceedings instituted against him in respect of his official acts ; and
- (v) any claim for the award of a pension in respect of injuries sustained by government servants in the discharge of their

official duties.

The Governor can, however, make regulations specifying the matters in which either generally or in any particular circumstances, it shall not be necessary for the government to consult the Commission. Such regulations must be laid before each house of the state legislature and are subject to such modifications as may be made by the legislature. Thus, regulations have been made in Maharashtra removing the jurisdiction of the Commission (i) in any matter affecting a member of an All India Service, (ii) regarding appointments to certain specified posts such as Secretaries, additional/joint secretaries and posts of a special character where normal methods of appointment on a competitive basis are inappropriate or where political considerations may be involved, (iii) regarding judicial appointments which under the Constitution are required to be made in consultation with the High Court, (iv) regarding appointments as well as disciplinary measures in respect of persons appointed by the state government, such as heads of departments, with a few exceptions, and (v) regarding the imposition of minor penalties on the holders of posts which are within the purview of the Commission.

Article 321 empowers the state legislature to extend the powers of the Public Service Commission by making an act for the purpose. This provision has been utilized by the Maharashtra government to extend the powers of the Commission to the staff of the secretariat of the state legislature and certain categories of employees of the Bombay Municipal Corporation. In addition to the above functions, the Maharashtra Public Service Commission is responsible, by special arrangements, for the conduct of departmental examinations for officers of the state government, language examinations for such officers and departmental examinations for certain employees of local bodies. It also makes arrangements for the examinations of the Union Public Service Commission at the Bombay centre.

In Uttar Pradesh as well certain categories of posts under the *nagar mahapalikas* (municipal corporations) and *zila parishads* have been brought within the purview of the Commission.

In performing its tasks the Public Service Commission takes the assistance of heads of departments and other government officials as well as outside experts at the interview of candidates and it also employs suitable persons as examiners, supervisors, and invigilators at the examinations conducted by it.

The relations of the Commission with the various departments of government are co-ordinated through the Chief Minister and the Chief Secretary, but in its day-to-day work and in the discharge of its statutory responsibilities, it deals directly with the different departments of

the state government and the various heads of departments.

Article 323 enjoins upon the Commission to submit an annual report of its work to the Governor who is required to lay it before each house of the state legislature with a memorandum explaining the cases, if any, where the advice of the Commission was not accepted and the reasons for such non-acceptance. The provision regarding the explanatory memorandum, however, does not cover the additional functions of the Commission regarding appointments for municipal/local authorities.

An evaluation of the working of these Commissions throws up for consideration certain points as follows :

- (i) The functions of the Commission are limited to two matters as shown above and it by no means acts as the "personnel arm of the Chief executive". In this respect its role differs from that of the Civil Service Commissions in the United Kingdom and the United States of America.
- (ii) Criticism of the government has often been made on the ground that the proviso to clause (3) of Article 320 has been sometimes abused and many state governments have taken resort to the practice of removing certain specified posts from the purview of the Commission. The annual reports of the Commissions have at times cited instances of governments making temporary or officiating appointments initially for a period of less than a year but continuing them for many years on that basis. This practice not only violates the spirit of regulations but is also unfair to the personnel concerned who many times are not selected by the Commission ultimately.
- (iii) The Commission is an independent statutory body and its recommendations carry weight, but sometimes the government concerned does not accept its recommendations. Such cases, however, are not frequent. For example, the union government rejected only 22 such recommendations between 1950 and 1971. However, it has been observed that the state governments do not give as much importance to the Commissions as does the union government, and the proportion of rejections is, therefore, larger in the case of states.
- (iv) There is a general complaint that the procedure of recruitment through the Commission is subject to enormous delays. In some cases, the interval between the date on which an indent is sent to the Commission and the date when candidates are selected by the Commission extends

to more than a year. Such delays cause lot of problems. In the first place, the candidates recommended for appointment may secure alternative appointments in the meanwhile and may not be available. The Commission is then requested to recommend the next available candidate and if no such candidate is available, to re-advertise the post. Secondly, the delay also gives rise to the complication that the candidate appointed on a temporary basis pending recruitment through the Commission continues in the appointment, and when ultimately he is replaced by the candidate selected by the Commission, he has to his credit a reasonably long service and, therefore, has a sense of grievance that he is required to leave the post after such long service.

**Vigilance Commission :** One of the universally recognized attributes of sound administration is integrity which, generally speaking, means "soundness of moral principle and character; uprightness; honesty". However, human experience of governmental machinery since ages has been that, in the words of Kautilya (the famous author of *Arthshashtra*), "just as it is impossible not to taste honey that finds itself at the tip of the tongue, so it is impossible for a government official not to eat up, at least, a bit of king's revenue". The disease of corruption, thus, has been endemic in public administration. In the words of the First Five Year Plan the "influence of corruption is insidious. It not only inflicts wrongs which are difficult to redress, but it undermines the structure of administration and the confidence of the public in the administration".<sup>25</sup> Unfortunately, independent India inherited corruption as one of its legacies from the British rulers and its widespread scope has attracted considerable attention since 1947. In the Indian context corruption has been defined in legal terms by Section 161 of the Indian Penal Code. But, "in its widest connotation, corruption includes improper or selfish exercise of power and influence attached to a public office or the special position one occupies in public office."<sup>26</sup>

The Second World War immensely increased the scope and depth of corruption throughout the world, and even those countries, where the standard of integrity in administration is claimed to be high, have also been concerned with this problem and have made institutional arrangements for the protection of the citizen against arbitrariness, indiscretion, inefficiency, indifference and corruption on the part of public officials. Thus Denmark, following the Swedish example, set

25. *The First Five Year Plan*, Planning Commission, New Delhi, 1952, p. 115.

26. *Report of the Committee on Prevention of Corruption (Santhanam Committee)* New Delhi, 1962, p. 5.

up the institution of Ombudsman in 1955. Norway followed suit in 1962. In the Commonwealth, New Zealand (1962) and the United Kingdom (1967) have established the office of the Parliamentary Commissioner to deal with acts of maladministration of defined categories. The new government of free India was not found amiss in this matter and took remedial measures in this direction. The Prevention of Corruption Act became law in 1947. A number of committees/commissions were set up to inquire into the malaise of corruption and make recommendations to eradicate it—the Tek Chand Committee (1949), the Railways Corruption Inquiry Committee (Kripalani Committee 1953) and the Vivian Bose Commission (1956). In the meanwhile, the Prevention of Corruption Act of 1947 was suitably amended in 1955 to make it more stringent. The same year the Vigilance Division was established in the Ministry of Home Affairs and vigilance units in ministries/departments came into existence. A year earlier the Organization and Methods Division had been set up in the Home Ministry to improve efficiency in administration and reduce the scope for complaints against the administration. In addition, a Grievance Commissioner was also appointed in the meanwhile to deal with citizen's grievances. In 1962 the union government appointed Committee on the Prevention of Corruption, consisting of six members of Parliament and two senior officers under the chairmanship of K. Santhanam and as follow-up of its recommendations, set up the Central Vigilance Commission in 1964.

Most of the state governments have followed suit. Andhra Pradesh, Assam, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan and West Bengal set up Vigilance Commissions in 1964 based largely on the central model. Bihar, instead, set up an Anti-Corruption Board the same year. Madras also established the Directorate of Vigilance and Anti-Corruption early in 1964 to be replaced by the Vigilance Commission in November, 1965. However, in 1975 there were certain states still without Vigilance Commissions, namely Himachal Pradesh, Meghalaya, Manipur and Tripura.

In Madhya Pradesh various types of agencies were created to deal with corruption, namely, the Anti-Corruption Department, Divisional Complaints Boards, District Complaints Committees, the Commissioner for Inquiry, and Organization and Methods Units in the state secretariat and other agencies. Then came the most important step of the appointment of a vigilance commissioner in 1964. At the same time Divisional Vigilance Boards were set up at the headquarters of each division consisting of the divisional revenue commissioner, the deputy inspector-general of police of the range concerned and the vigilance officer who was the convenor of the Board. For this purpose non-

officials were appointed divisional vigilance officers in each division. At the district level district vigilance officers were appointed and the office was filled by selected assistant collectors or deputy collectors. Maharashtra too established the State Vigilance Commission at the same time. It consisted of a single official known as the state vigilance commissioner having a term of five years or until the attainment of the age of 65, whichever was earlier. The appointment was made by the Governor by warrant under his hand and seal and he could not be removed from office except in the manner provided for a member of the Public Service Commission. The functions of the Commission were : (i) to enquire or investigate into complaints of corruption, misconduct, lack of integrity or other kinds of malpractice or misdemeanour or the exercise of discretionary powers for improper or corrupt purposes on the part of a state civil servant. However, ministers, the speaker of the state legislative assembly, judges of the high court and subordinate courts, the staff of the judicial department, elected officials of *zilla parishads* and their employees were excluded from its jurisdiction. On the basis of its investigation the Commission advised the concerned departments whether or not the erring government servant should be prosecuted ; and (ii) to coordinate the work of various departments in all matters concerning the maintenance of integrity in administration and to advise them on these matters. Like the Public Service Commission, the Vigilance Commission also was required to submit an annual report on its working to the legislature. The activities of the Commission were temporarily suspended after the demise of its first vigilance commissioner in June 1967. Thereafter the office of the Commission continued for some time with a skeleton staff till the creation of an alternative machinery for the redress of the citizens' grievances against public servants in terms of the State Lokayukta and Up-Lokayuktas Act, 1971.

We will now discuss at some length the position in Uttar Pradesh which has set up a rather elaborate vigilance establishment. The state government set up a Vigilance Commission on July 8, 1964 with headquarters at Lucknow. The Commission has two wings—an investigating wing known as the Uttar Pradesh Vigilance Establishment under a director of vigilance and a trial wing known as the Administrative Tribunal, both directly and collectively responsible to the state government. The Commission works under the administrative control of the Vigilance Department set up in the same year. The Commission consists of three members, two of whom are members of the Administrative Tribunal and the third is the director of vigilance. The president of the Tribunal is also the chairman of the Commission. The general responsibility of the Commission is to formulate proposals for



prevention and control of corruption. In pursuance of this objective it performs the following functions :

- (i) to advise government regarding change in procedure and practice with a view to eliminating chances of corruption ;
- (ii) to collect such statistics and other data as may be useful for the discharge of its functions;
- (iii) to advise government in respect of methods and procedures for redress of citizens' grievances ;
- (iv) to exercise general control and supervision over the vigilance and anti-corruption work of various departments, offices and undertakings ; and
- (v) to call for reports, returns and statements from departments, offices and undertakings under its control and to obtain information from them about action taken on its recommendations.

It should be noted that the Commission does not deal with complaints against members of the legislature and members of government, that is, ministers. The Commission submits an annual report to the government about its activities and, in particular, draws its attention to its recommendations which have not been accepted or acted upon. Like the report of the State Public Service Commission, its report is laid before the state legislature with a memorandum stating, in respect of recommendations which have not been acted upon or accepted, the reasons for non-acceptance or for not taking action. As a general rule, the Commission's recommendations are accepted by the government.

Coming to the two wings of the Commission, the investigating wing was set up under the Vigilance Establishment Act, 1965, which provides for the constitution, superintendence and administration of a special force called the Vigilance Establishment. The officer-in-charge is the director who exercises all the powers of a head of department and those of the inspector-general of police as regards ordinary police force. The director has an elaborate establishment to assist him. It can investigate into offences punishable under various sections of the Indian Penal Code and certain other acts. Its duties include : (i) informing government of matters coming to its notice regarding corruption, bribery, misconduct and malpractices against public servants ; (ii) collecting necessary intelligence in respect of possible sources of corruption in public servants ; and (iii) investigating such cases of corruption as are referred to it by the Vigilance Department. The establishment makes preliminary enquiries into complaints of corruption against government servants in general and gazetted officers in particular, and submits a detailed report embodying its

conclusions to the Vigilance Department.

The trial wing of the Commission called Administrative Tribunal consists of two members, one of whom is an officer of adequate seniority to be the head of a department or the commissioner of a division and the other a judicial officer qualified for appointment as a judge of the High Court. The rules, as amended in 1969, provide for one or more such tribunals. One of the members of the tribunal is nominated by the government as its presiding officer. The tribunal deals with cases in respect of corruption ; failure to discharge duties properly ; irremediable general inefficiency in a public servant of more than ten years standing ; personal immorality ; and wilful or flagrant violation of government conduct rules. Cases are referred to the tribunal by the Vigilance Department. The proceedings are held in camera and neither the prosecution nor the defence has a right to be represented by counsel. In conducting enquiries the tribunal is guided by rules of equity and natural justice and is not bound by formal rules relating to procedure and evidence. The tribunal formulates its recommendations regarding the punishments to be awarded to the erring public servant. It is for the state government to implement the recommendations of the tribunal, which is a mere advisory body. Again, while awarding punishments recommended by tribunal in respect of public servants, the government need not consult the Public Service Commission. In December 1975 the Uttar Pradesh Government set up the Public Services Enquiry Tribunal to deal with corruption in the civil service.

The same year the government of Jammu and Kashmir established the Anti-Corruption Commission which is also a plural body, but has been vested with greater powers than its counterpart in Uttar Pradesh. Thus, it has the power to make its own investigations and its recommendations are binding on the state government.

**Search for an Ombudsman :** Unfortunately, none of the devices tried in various states was able to make any noticeable impact on the problem of combating corruption and redressing citizens' grievances. The reasons for their ineffectiveness were many and varied. For example in Madhya Pradesh, "the Anti-Corruption Department, being a part of the police organization, failed to inspire confidence or to earn a reputation for competence or fairness. The Complaints Board and its counterparts at the district level, by the nature of their composition, found it difficult to function collectively and not having any agency of their own for investigation, became more of a channel of transmission of complaints to the departmental authorities. The Vigilance Commission, not having a statutory basis, or legal power to collect evidence, and being only an advisory body, had its limitations. While some feel

that the Vigilance Commission concerned itself far too much with trivial matters, others consider that the experiment was not given a fair trial and that it was hamstrung by official reluctance, lack of co-operation and indifference.”<sup>27</sup> This led to a search for a new and more effective solution of the problem. Ever since 1963 widespread support for the establishment of an Ombudsman type of institution had been expressed in the Parliament, in the press and by reputed jurists and eminent public men. The Santhanam Committee had recommended in 1962 the setting up of such an institution more or less patterned on the office of the Parliamentary Commissioner in New Zealand. The Rajasthan Administrative Reforms Committee, in its report (1963) also recommended the appointment of an Ombudsman for that state. This matter was taken up for serious and detailed consideration by the Central Administrative Reforms Commission appointed early in 1966. The Commission was of the view “that the special circumstances relating to our country can be fully met by providing for two special institutions. . . . There should be one authority dealing with complaints against the administrative acts of Ministers or Secretaries to Government at the Centre and in the States. There should be another authority in each State and at the Centre for dealing with complaints against the administrative acts of other officials. All these authorities should be independent of the executive as well as the legislature and the judiciary.”<sup>28</sup> The first one was to be called the Lokpal and the second one Lokayukta. The union government accepted the recommendation of the Commission with some modification and introduced the Lokpal and Lokayukta Bill in the Lok Sabha on May 9, 1968. But for one reason or the other the bill could never be enacted. However, the states of Bihar, Maharashtra and Rajasthan appointed Lokayuktas between 1971 and 1973. In 1972 the Madhya Pradesh Administrative Reforms Commission, in its report, recommended the setting up of a high power authority to be called the Madhya Pradesh Prashashan Prahari Mandal, to be charged with the responsibility of aiding and advising the state government in its task of maintaining “integrity and capacity in the administration.” However, this recommendation has not been implemented so far.

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27. *Madhya Pradesh Administrative Reforms Commission Report on Vigilance Organisation and Redress of Citizen's Grievances*, Bhopal, 1972, pp. 9-10.

28. *The Interim Report of the Administrative Reforms Commission on Problems of Redress of Citizen's Grievances*, New Delhi, 1966, p. 18.

#### IV. State Services and their Training

The efficiency of administration depends largely on the quality of the personnel engaged in it. Recruitment of the right type of personnel is, therefore, of great importance to ensure good, honest and efficient administration. Laying down of proper qualifications for different services and posts, selective recruitment and appropriate training form the basis of a sound personnel system.

"A prominent feature of the personnel system to-day is the rapid rate of growth of the staff employed under Government. This is true as much of the State Governments as of the Central Government. There has been a proliferation of personnel not only in the field organisations, but also at the level of State Secretariats and the Directorates. The Study Team points out that in one of the States the number of Secretaries, Deputy Secretaries and Under Secretaries in the Secretariat increased from 14 in 1947 to 93 in 1965. The number of other staff increased from 320 in 1948 to the abnormal figure of 2,226 in 1965. By and large, the same position obtains in other States as well. The number of employees in all the States, which was 39.33 lakhs in 1960, had increased to 54.16 lakhs in a period of five years, thus registering an increase of about 37 per cent. At the end of 1968, the number of such employees was 56.02 lakhs.....The expenditure on salaries and allowances has accounted as much as 55 per cent of the total revenue expenditure in all the States."<sup>29</sup> This number has further gone up and varies from state to state. Obviously, Uttar Pradesh had the largest number, over 6,00,000 employees with Assam in the lowest rung with a little more than a lakh. The total number of government servants in Madhya Pradesh in 1976 stood at 5,45,697 including 87,155 contingency employees.

The term 'State Civil Service' may be defined as services and posts the recruitment to and conditions of which are regulated by the Acts of the appropriate state legislature or, until such legislation has been passed, by rules made by the Governor of the state concerned (vide Article 309). No state legislature has yet passed a law regulating the recruitment and conditions of service of its employees. The state civil services do not include services under local authorities, rural and urban. The state government thus exercises powers to make rules providing for the making of first appointment, methods of recruitment, number and character of posts and conditions of service in respect of the state and subordinate services. It is the final authority in respect of matters connected with such services and no appeal or representation lies to any other authority outside the state. The state services, in brief.

29. *Administrative Reforms Commission Report on State Administration*, New Delhi, 1969, p. 73.

consist of such services as the state government may, from time to time, declare by notification in the official gazette to be included in that category. This topic may be studied under the following three heads, namely (i) the classification or structure ; (ii) the recruitment ; and (iii) the training.

**Classification or Structure of Services :** "The orderly and adequate fulfilment of the multifarious responsibilities of the State Government necessitates the employment of thousands upon thousands of public servants of various grades and skills. These include personnel engaged for specific works whose salaries are charged to the works and who consequently are not treated as regular Government servants, personnel employed on a casual basis and paid from contingencies and part-time and honorary officers. There is, however, a large body of State Government servants who are permanent or who hold posts which in course of time are made permanent. The number of State Government servants would be 2,00,000 (the number now stands at nearly 3,00,000). From administrators and professional experts to unskilled labourers, almost every conceivable calling is represented in this vast body of public servants."<sup>30</sup>

Though there is considerable uniformity in conditions of service for public servants, there is need for providing a gradation of skills and equipment, educational as well as technical, for the performance of duties of varying complexity and responsibility. Again, it is necessary on administrative grounds to group posts according to the departments to which they belong and the qualifications required for holders of the posts. Thus, there are separate services for each of the major departments, and each of these services is divided into two or more grades. There are also services which cater to the requirements of more than one department or which, though under the control of a particular department for administrative purposes, provide specialized personnel for other departments as well, for example, State Accounts Service. In addition there used to be a cadre of specialized services which is fast dying out. Among the few survivors is the post of superintendent, printing and stationery. Then, there are posts in certain departments which are too few to be constituted into a separate service and also posts in various departments which do not fit into the general framework of the separate services constituted for those departments. All such posts are grouped under the State General Service, Class I and II. Illustrations of such posts in Maharashtra are gazetted posts in the Social Welfare, Printing, Labour, Factory and Boiler Departments, the post of administrator general and official trustees, etc. Another way of classifying the services and posts under the state government on the

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30. *Report on Reorganisation of Maharashtra Administration*, Vol. I, Bombay, 1971, p. 325

basis of status and rank is the distinction between the gazetted and non-gazetted services posts. A gazetted officer is usually one who holds charge of an office; his duties are mostly supervisory or directory; and his appointment, leave, transfer or posting is notified in the gazette. However, there are certain posts within non-gazetted category whose appointments are notified for special purposes in the gazette by the heads of departments, but which are not recognized as having the status of gazetted posts. Yet another method of classifying state services is their division into four categories : Class I, Class II, Class III and Class IV. Gazetted posts include All India Services and Class I and Class II state services along with a number of isolated posts with equivalent status which do not form part of any fixed cadre. Non-gazetted posts are divided into Class III and Class IV services.

**All-India Services :** These services are common to the union and the states and they serve both the central and the state governments. These services have been constituted under Article 312 of the Constitution. The two original services under this category created in 1946 are the Indian Administrative Services and the Indian Police Service. The Indian Administrative Service has been constituted in place of the Indian Civil Service, excluding the judicial branch of that Service, and serving members of the Indian Civil Service are deemed to belong to the Indian Administrative Service for purpose of posting. Special privileges enjoyed by the Indian Civil Service like higher retirement age and the claim to payment of the pension in British pounds have been recently terminated. The Indian Police Service is similarly the offspring of the old Indian Police. Recently a few more such services have been created, namely, the Indian Service of Engineers, the Indian Forest Service and the Indian Medical Service. These services are recruited on an all-India basis through the Union Public Service Commission as a result of a competitive examination. Their conditions of service are governed by the rules made by the central government. But while serving under a state government, they come under the administrative control of the state government, that is to say, their postings, transfers and other ancillary matters are under the control of the state government which can even impose minor penalties after consultation with the Union Public Service Commission. The members, however, have a right of appeal or representation to the central government against any orders adversely affecting their service conditions. Major penalties can be imposed only by the central government. The Service is constituted of fixed cadres for each state divided into senior posts under the state government, senior posts under the central government filled by the deputation of officers borne on the state cadre, a deputation reserve meant to cover appointments to posts outside the prescribed cadre, a leave reserve, a training reserve and junior posts. There is a separate

cadre for union territories. Depending upon requirements, a central deputation quota is provided in each All India Service. In the case of the Indian Administrative Service and the Indian Police Service, such quota is calculated at the rate of 40 per cent of the senior posts under all the state governments; and for the Indian Forest Service, at the rate of 8 per cent. The table below gives the authorized strength, the central deputation quota and the number of officers actually on deputation to the central government in respect of each Service as on 1-1-1971<sup>31</sup> :

TABLE V  
Strength of All India Services

Service	Authorized Strength	Central Deputation Quota	Number on Deputation
Indian Administrative Service . . . . .	3203	632	502
Indian Police Service . . . . .	1790	359	426
Indian Forest Service . . . . .	1097	57	66

In addition to direct recruitment to these services, there is a provision for recruitment by promotion or selection from amongst members of the state services. Appointments to the Indian Administrative Service by promotion and selection are not to exceed 25 per cent of the number of senior duty posts borne on the cadre and not more than 15 per cent of the posts available for promotion and selection may be filled by selection (the percentage has now been raised to 33-1/3 per cent). Promotion vacancies are filled by the central government on the basis of a select list of members of the State Civil Service who have served as deputy collectors and who are considered fit for promotion in consultation with the Union Public Service Commission. Appointments by selection are made out of lists similarly prepared consisting of officers in the state services who hold posts equivalent in importance and responsibility to those of the deputy collector and who are outstanding in merit and ability. A similar provision exists for promotion in the Indian Police Service. Appointments are made by promotion from the State Police Service of officers who have served for not less than eight years as deputy superintendent of police. Select lists are maintained for this purpose.

The senior posts under the state government included in the cadre of the I.A.S. have been specifically named and, except for temporary periods, they cannot be filled except by members of this Service. They

31. *Report of the Third Central Pay Commission*, Vol. I, New Delhi, 1973, p. 15.

include the posts of Chief Secretary, Secretaries to government in many cases, divisional commissioners, members of the Board of Revenue, collectors and many heads of departments. It should be noted that in the case of certain technical departments like engineering departments, the head of department belongs to that technical service. However, there are cases where the members of this Service (I.A.S.) have been posted as heads of many technical departments like forest, education, agriculture, etc. The junior posts under the state government included in the cadre of this Service are not specified but they are generally posts of assistant collectors/commissioners and under secretaries to government.

**State Class I Services :** Class I services are generally constituted for posts which are equivalent in status and responsibility to those qualified as senior posts in the cadres of All India Services. These services were created as a follow-up of the recommendations of the Lee Commission (1924) which recommended the gradual abolition of All India Services, which were to be replaced by Class I services. A number of such services were, therefore, set up between 1924 and 1947, as replacement of All India Services. In addition, certain new services were constituted as the state governments extended the scope of their activities to new fields like industries, civil supplies, co-operation, fisheries, sales tax, etc. Almost every department has its own Class I service. As in the case of All India and Central Services, Class I posts also do not carry uniform scale of pay and the pay scale in fact differs from department to department. As at the centre, there also obtain two scales of pay in this class, junior and senior (as in the case of central and All India services) or regular grade and selection grade. For example in Madhya Pradesh, deputy collectors in the scale of Rs. 425-1050 reaching the stage of Rs. 800 per month are declared to be in Class I. In the case of other services such stage is reached at Rs. 900 a month. As an illustration of difference in pay scale, we find that in Madhya Pradesh the State Accounts Service has a pay scale of Rs. 900-1360 while professors in government colleges get a grade of Rs. 1100-1500. Similarly, teaching posts in medical and engineering colleges in Class I have special pay scales. There is also provision for a selection grade in various state services. For instance, the selection grade for deputy collectors in Madhya Pradesh is Rs. 1050-1450. Then, there are still higher posts of principals, heads of offices and heads of departments for whom higher grades are prescribed, though even here there is no uniformity of pay scales. By and large, appointments to Class I posts are made by promotion from Class II posts and there exists a fixed quota of such promotion posts in each department. In some cases these posts are filled by direct recruitment through the State Public Service Commission by means of interviews.



**State Class II Services :** Class II services are constituted for posts which are of lower status and responsibility than those in Class I service but which are nevertheless considered important enough to require that the power of making appointments to them should be vested in the state government and that they should be included in the category of gazetted posts. The origin of the Provincial Services goes back to the recommendation of the Royal Commission on Public Services (1886-87). Its recommendation to create such services was approved by the Secretary of State for India and in 1892 the Government of India authorized the local governments to establish their provincial services. Each department has its own Class II service but the pride of place goes to the State Civil/Executive/Administrative Service. Its predecessor, the old Provincial Civil Service, occupied a position of importance only next to that of the Indian Civil Service. As in the case of Class I services, there is no uniform scale of pay for this class of service as well. In Madhya Pradesh, for example, there are two categories in Class II posts. Category I includes services like State Civil Service (deputy collector) and State Accounts Service with a pay scale of Rs. 425-1050, while category II consists of services like State Police Service (Rs. 425-900), sales tax officer (Rs. 425-1000) and employment officer (Rs. 400-720). Thus, there are not only two categories with different scales of pay but even in category II, there is no uniformity in pay scales. Recruitment to these services is made partly by examination and partly by selection, in both cases through the State Public Service Commission. Thus, the State Public Service Commission holds every year a combined competitive examination to select candidates for State Civil Service, State Accounts Service, State Police Service, Sales Tax Officer, Assistant Registrar Co-operative Societies and Employment Officer. This examination is conducted on the model of the combined competitive examination for Indian Administrative Service and Allied Services held by the Union Public Service Commission. Then there are posts in Class II like lecturers in government colleges, assistant medical officers, inspectors of schools and the like, the selection for which is done by the Commission by means of interviews at which specialists in the subject concerned and departmental representatives concerned are invited to participate. As regards recruitment to judicial services (civil judges) in some states like Uttar Pradesh the Public Service Commission conducts an open competitive examination, while in other states like Madhya Pradesh recruitment is done on the basis of interviews conducted by the Public Service Commission. Besides direct recruitment, there is a provision for recruitment by promotion from below, that is, Class III posts, and usually a quota is fixed for such promotion. Promotions are made on the basis of the recommendation by the departmental promotion committees in consultation with the State

**Public Service Commission.**

**Class III Services :** There are Class III services for each department consisting of various subordinate/executive and ministerial posts. The executive category includes officers like naib-tahsildars, deputy/assistant inspectors of schools, sub-inspectors of police, teachers of secondary schools, etc. In this category also fall posts superior to these, though non-gazetted, viz., tahsildars, excise inspectors, sales tax inspectors, co-operative inspectors, etc., ministerial or clerical services include clerks, stenographers, assistants, assistant superintendents, head-clerks and superintendents. Recruitment to these services is made partly by open competitive examination and partly by selection. For example, in Madhya Pradesh, the annual combined competitive examination for the State Services includes Class III services like Subordinate Civil Service, co-operative inspector/extension officer, sales tax inspector, excise sub-inspector, transport sub-inspector and sub-registrar. Recruitment to other posts is made either by departmental heads or in some cases by district heads by some kind of local recruitment, as in the case of recruitment to the post of sub-inspectors of police in many states. This kind of recruitment is made either on the basis of a sort of written-cum-oral examination or just by interviews. There is provision for promotions within this class on quite a liberal scale. Thus, except in Maharashtra, the posts of tahsildars are filled only by promotion from naib or deputy tahsildars. But promotion from Class III to Class II are more limited. Ordinarily, promotion is made on the basis of seniority-cum-merit as a result of the recommendation by the departmental promotion committee.

**Class IV Services :** This class consists of peons, daftaris, messengers, orderlies, attendants, watchmen, cooks, 'khalasis', ward servants, laboratory servants, etc. A common characteristic of these posts is that by and large they include work that is unskilled or semi-skilled and is manual in nature. Previously, their terms of service were less favourable in regard to leave and pension. But now these disabilities have been removed and their salaries, allowances and other conditions of service have been vastly improved. The scope of promotion from Class IV to Class III service is rather remote, though of late there are cases of promotion of peons to the posts of clerks and typists provided they have acquired necessary level of education and skill. As in the case of other classes of service, there is no uniformity in the pay scales of posts comprising this class. Recruitment to these posts is made by district officers or other officers on a local basis.

**Recruitment :** Recruitment to each class of posts is made in accordance with the requirements set forth in the recruitment rules prescribed for it. The rules prescribe whether the post should be filled by promotion from a lower cadre, by direct recruitment or by transfer from

another service. The mode of intake at various levels varies from one department to another and also within the same department. Where there is a provision to fill the post partly by direct recruitment and partly by promotion, the rules prescribe the ratio in which vacancies may be filled by the two methods. The rules also lay down the age limits, qualifications and experience required of candidates applying for direct recruitment. To take the example of Maharashtra, we find, as will be borne out by the following table, that the ratio for promotion and direct recruitment vary from department to department<sup>32</sup> :

TABLE VI

Service	Promotion	Direct Recruitment
Deputy Collectors . . . . .	50%	50%
Mamlatdars . . . . .	50%	50%
Deputy Superintendents of Police . . . . .	70%	30%
Engineers, Classes I and II . . . . .	25%	75%
Co-operative Service Class I . . . . .	75%	25%
Co-operative Service Class II . . . . .	50%	50%
Medical Service, Class I . . . . .	50%	50%
Medical Service, Class II . . . . .	50%	50%

Attention may be drawn at this stage to certain features of this system. First, there are several offices of heads of departments where direct recruitment is made only at the lowest level and almost all higher posts are filled by promotion. Secondly, there are several posts for which no such promotion ratios have been fixed. Thirdly, it is found that in many cases posts filled by promotion are in excess of the prescribed ratio. Lastly, while promotions in the same class service are freely available, movement from one service to another service is rare.

The broad dimensions of policy regarding recruitment to public posts have already been set in the Constitution. Article 16 stipulates that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state. The accompanying Article 15 also stipulates that no citizen shall be discriminated against or be ineligible for any public appointment on ground only of religion, race, sex, caste, descent, place of birth, residence or any of them. However, the Parliament has the power to stipulate any requirement as to residence within the state as a condition of eligibility for appointment to any class of employment or to an office under the government and to make reservations in favour of

32. *Report of the Administrative Reorganization Committee of the Maharashtra Government, Bombay, 1968, p. 57.*

any backward class of citizens. In actual practice, the spirit of these Articles has not been followed. For example, as a result of certain constitutional amendments, reservation of posts in almost all services including promotion has been made in favour of scheduled castes/scheduled tribes and backward classes. Similarly, the principle of giving preference to "sons of the soil" has invaded almost all job opportunities even though the Public Employment (Requirement as to Residence) Act, passed by the Parliament in 1957, has expressly prohibited discrimination on the ground of residence or domicile in the state. It should be recalled that in our country there is only one uniform citizenship for the entire land, and the states do not have their own separate citizenship. Legal or not, discrimination on the basis of residence is freely practised and what may be termed as the "localization" of public services is fast taking place with resultant damage to the quality of the personnel.

Two other points need mention here. Under the terms of the Constitution (Article 320 (3)), the State Public Service Commission is empowered to advise the state government in all matters relating to methods of recruitment to civil services and for civil posts. Secondly, service under government is generally not a matter of contract but a tenure subject to the pleasure of the Governor/President (Article 310 (1)). However, the doctrine of pleasure operates under certain limitations (Article 311), according to which (i) no member of the civil service "shall be dismissed or removed by an authority subordinate to that by which he was appointed, and (ii) "no such person.....shall be dismissed or removed or reduced in rank except after an enquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges and where it is proposed, after such enquiry, to impose on him any such penalty, until he has been given a reasonable opportunity of making representation on the penalty proposed."

**Training :** Staff training may be defined as "the systematic and special education of staff (either as individuals or groups) to fit them better for particular work in an organisation, or to develop their potential for other (and perhaps more responsible) work. It has a direct effect on the efficiency of the individual worker, and on the efficiency of the organisation as a whole. It has also an indirect effect in communicating a sense of purpose and, through this, improving morale and self-discipline. Staff training grows in importance as the wider social, economic and political purposes of the State Services grow more complex, and as their activities increase. The day has long since passed when officers could learn all they need to know by working along-side their more experienced colleagues. And indeed training by experience

is often a slow process. It is sensible to speed the process up in a rational and intensive way especially for those occupations where there is (or will be) a perceptible shortage of experienced staff."<sup>33</sup> The problems of administration are every day getting more and more complex and complicated requiring experienced and in many cases specialized personnel to deal with them. In consequence, the civil service is becoming more and more professionalized. Fulton Report has observed that "in the more professional Civil Service of the future, it will not be enough for civil servants to be skilled in the techniques of administration, they must also have a thorough knowledge of the subject matter of their field of administration and keep up to date in it."<sup>34</sup>

To begin with, a distinction must be made between education and training. Education may be defined as the gradual maturing of the mind and gaining of general knowledge. It comprises "the complete upbringing of the individual from the childhood, the formation of character and of habits and manners, and of mental and physical attitude."<sup>35</sup> Training, on the other hand, has to do with specific work in a specific organization and builds on the prior educational attainments of individuals or groups. W. G. Torpey has defined it as "the process of developing skills, habits, knowledge, and aptitudes in employees for the purpose of increasing the effectiveness of employees in their present government positions as well as preparing for future government positions."<sup>36</sup>

The traditional type of training obtaining in pre-independence India was "on-the-job training", even though there existed police training schools in various provinces where the police officers were "drilled and trained in duties which were somewhat military in character." Philip Woodruff, in his famous book *The Founders and the Guardians* has drawn a graphic picture of such training. In the words of Ashok Chanda, "the best training in any Service is provided by the actual doing of the job for which the Service exists." However, it is now agreed on all hands that "training on the job" should be supplemented with institutional training. Chanda has called it "basic" training, others have called it "foundational" training. It was Chanda who suggested to the Prime Minister in 1955 "that an Academy of Administration should be established to bring together in a common training establishment all the officers of the superior services." The Government of

33. *Report of the Royal Commission of Inquiry on the State Services in New Zealand*, Wellington, 1962, p. 240.

34. *Report of the Committee on the Civil Service (1966-68)*, Vol., I, London, 1968, p. 35.

35. Tickner E.J., *Modern Staff Training*, London, 1952, p. 9.

36. Torpey, W.G., *Public Personnel Management*, New York, 1953, p. 154.

India accepted this suggestion and the Home Minister in his statement before Parliament in April 1958 announced that "training in foundational and fundamental subjects should be given to all those who are recruited for senior grades of services." The result was the setting up at Mussoorie of the National Academy of Administration, renamed in 1972 as the Lal Bahadur Shastri Academy of Administration. Such foundational courses have both 'general' and 'special' content.

Following the lead given by the union government, most of the state governments have set up their own academy/institute/college/school to impart training to their employees. One of the very best institutions of such type is Harish Chandra Mathur State Institute of Public Administration at Jaipur, and we will now give some details of the working of this institution. The Rajasthan government was perhaps the first state to give due attention to the need for training its employees. On November 14, 1957 an Officers' Training School was founded at Jodhpur to provide training to members of the newly constituted Rajasthan Administrative Service. It was soon discovered that members of the Indian Administrative Service who were previously being sent for their professional training to Uttar Pradesh, could also be imparted training in the newly opened Officers' Training School. Therefore, from 1959 the training of the Indian Administrative Service Officers also began to be conducted at this School. In 1961 the Accounts Training School was merged with the Officers' Training School at Jodhpur. In 1966 the Commercial Taxes School, Jaipur was also merged with the Jodhpur School. A number of new training programmes for senior administrators were introduced on the recommendations the State Committee on Training set up in 1961. These programmes were designed to enable the administrators to keep themselves abreast of latest developments in their chosen areas of specialization in public administration. The Officers' Training School moved from Jodhpur to Jaipur in 1963. In 1966 it moved to its own campus in a newly constructed building. In 1969 the School was named as the Harish Chandra Mathur State Institute of Public Administration to commemorate a distinguished administrator and parliamentarian.

The aim of the Institute is to contribute to a continuing improvement in Rajasthan administration so that it is able to fulfil the people's aspirations for development at an accelerated pace. To this end the Institute strives to—

- (i) design and conduct training courses appropriate to the specific identified needs of the administrators and the organizations they serve;
- (ii) assist the departments and agencies in finding solutions to several of their baffling organizational problems ;

- (iii) serve as a forum for the interchange of ideas and experiences among scholars and practitioners of public administration; and
- (iv) undertake research on problems of direct relevance to government agencies and disseminate widely through its publications knowledge of current developments in the vast field of public administration.

Training consciousness has grown rapidly in Rajasthan and the Institute is under constant pressure to organize programmes of training for the middle and higher level civil servants belonging to almost all services, generalist as well as technical. Training programmes conducted at the Institute can be broadly grouped as follows :

**Foundational Courses :** These have been designed to familiarise all new entrants to the government service as well as those promoted from lower to higher ranks with the way government operates in the present-day context. These courses are meant for both technical and general state services. Duration of these courses is roughly two months.

**Professional Courses :** After the foundational courses the new entrants to the service undergo the professional training course which prepares them for the job which they are expected to handle after this training. These courses are organized for new entrants to the Indian Administrative Service, Rajasthan Administrative Service, Rajasthan Accounts Service, Rajasthan Commercial Taxes Service and Accountants. The programme includes practical training which takes officers actually into the field to give them first hand real life administrative experience. Duration of these courses which varies from service to service is usually long—from six months to a year.

**Refresher Courses :** Officers in the mid-career need to be trained to enable them to shoulder the responsibilities of newer, more important assignments as they go up the ladder. Refresher courses are designed to cater to the needs of such personnel. These are usually short-duration courses.

**Programmes in Management Techniques :** These programmes are aimed at improving the efficiency of the executives in the government organizations and the public sector undertakings by exposing them to the latest management techniques. Senior officers from both the generalist and technical services participate in these training programmes which mostly are short-duration courses.

**Programmes in Development Administration :** The training programmes in this area have lately been specially introduced to meet the growing requirements of the staff working in various development projects. They are attended by senior and middle level officers from both the generalist and technical services. Duration of these courses is

usually short. Programmes being now developed are getting highly participative. Several training techniques are employed taking into account the nature of the course content and the level of the participants. For very senior people only seminars and workshops are organized. In other programmes also emphasis now is on increasingly involving the participants in discussions of the subject matter. Case studies are used. Officers are also given the chance of visiting the projects and offices to understand the problems on the spot. The Institute possesses audiovisual and other electronic equipment.

Since most courses are meant for officers actually engaged in important development assignments who cannot be away from their duty for long periods of time, the duration of courses is kept to the minimum without diluting their content. Training programmes for the coming year designed in consultation with the concerned departments and agencies are announced sufficiently in advance. The Institute issues at the beginning of every year its annual training programmes brochure.

The Institute has its own teaching and training faculty which is a mix of academicians and administrators. Some posts of professors and associate professors have been recently created and filled. The Institute pays particular attention to the staff development. In addition to its own staff the Institute invites guest speakers from other institutes, universities and the government departments.

In addition to training, the Institute also has a research programme directed at the areas of direct relevance to government work. Of late, it has also taken up publication work. Its journal, *Prashasnika*, has already earned a good name. In addition, it is also bringing out a biennial journal *Development Policy and Administration Review*.

Other states have set up their own institutions to impart training to their employees. For Example, Maharashtra has its Administrative Staff College at Bombay and Madhya Pradesh its Lal Bahadur Shastri Academy of Public Administration at Bhopal. While the Maharashtra Administrative Staff College is a developed institution following more or less similar programmes as at Jaipur, the Madhya Pradesh Academy is comparatively less developed. In addition to this Academy, Madhya Pradesh has a Police Training College at Sagar imparting training to sub-inspectors of police. It also has six training schools to train police constables. There are also training schools for training forest guards and deputy rangers of forests. In brief, the pattern appears to be for each state to have a central training institution and a number of other training schools/colleges for training employees of different services and grades. Maharashtra, too, in addition to having an Administrative Staff College at Bombay, has a network of training institutions catering to the needs of officials at various levels belonging to different depart-



ments of the state government. To take the example of the departments of revenue and police, we find an elaborate arrangement for training the officials of different grades. Thus, the revenue department makes arrangements for the training of deputy collectors, *mamlatdars*, *naib-tahsildars*, circle inspectors, inspectors, *talatis*, village *panchayat* secretaries, etc. In the same way, the police department arranges the training of sub-inspectors, head constables, constables, mechanics, motor launch and dinghy drivers, etc.

In the field of local self-government, there has developed, since the establishment of *panchayati raj*, an elaborate system of training *gram-sevaks* (village level workers), block development officers, social education organizers, workers in tribal development blocks and members of *panchayats*, *panchayat samitis* and *zila parishads*. A number of institutions have been set up throughout the country to carry out this task. Both the central government and the state governments have helped in the matter. In brief with a view to developing proper understanding of the basic objectives underlying the community development and *panchayati raj* programmes, training is given at composite training centres under the administrative control of various state governments to officials and non-officials connected with these programmes. The National Institute of Community Development, Hyderabad, which is an autonomous body, functions as an apex institute for providing training in the philosophy and aims of community development. It also functions as a clearing house of information on community development and *panchayati raj*. The institute has three wings—study, research and instruction. The study wing offers orientation courses to key personnel from various state governments—administrative, technical and non-official. The research wing undertakes investigation of current problems through its own staff and through universities. The instruction wing conducts courses for instructors as also for district *panchayat* officers and sub-divisional officers. Various other schemes are in operation to provide training to the rural youth through short duration camps, people's representatives in *panchayati raj* institutions and village leaders through '*sammelans*' and school teachers through orientation courses. Arrangements have also been made to impart training to municipal services in the field of urban government. Initiative in this matter came from the Health Ministry at New Delhi. It established in 1966 a Centre for Training and Research in Municipal Administration under the auspices of the Indian Institute of Public Administration at New Delhi. But it was soon found that one centre could not cater to the needs of the entire country. Therefore, the Health Ministry, in consultation with the concerned state governments, established during 1967-68 four

ownership and operation of industries and services. In consequence, a new type of enterprise has come into existence in the economic regional centres at Bombay, Calcutta, Hyderabad and Lucknow. The existing institutional facilities were availed for this purpose, "both with an eye for economy and for mobilising local cooperation." At Bombay the existing organisation of the All India Institute of Local Self-Government was utilised, while at Calcutta the regional centre was established at the Institute of Social Welfare and Business Management. At Hyderabad and Lucknow, the departments of Public Administration in these universities were entrusted with the organization of regional centres.

Despite the elaborate arrangements described above, it cannot be maintained that all states in the union have been able to make adequate arrangements for training their employees or that all the state governments have shown equal and adequate interest or paid earnest attention to this problem. The need of the hour is for each state to set up a central personnel agency to look after the various aspects of the personnel problem particularly the staff development aspect. As the functions of government get more and more complex the need for creating a staff of suitable calibre and aptitude becomes more and more obvious. It is hoped that the state governments, particularly those which are backward in this field, will realise their responsibility in this field.

#### **V. Statutory Autonomous Bodies and Public Corporation in States**

For purpose of administration, governmental business in every state is organized into departments which are, indeed, the traditional form of dividing and conducting governmental operations. However, along with the departments/ministries there exist certain other types of agencies created by statutes, namely, councils, boards, commissions and corporations. Since the end of the Second World War increasing and extensive use has been made of these devices to perform the new functions undertaken by governments. In India as well there has been a proliferation of new agencies and organizations since independence. Numerous boards, commissions and corporations have been established both by the union and the state governments for performing functions like regulating trade, commerce, transport and communication, conducting examinations, providing services like electric supply, housing, transport, etc. ; and rendering financial assistance. Increasing intervention by the state in economic field, however, has been more than regulatory. It has a positive content by way of

field, known as state or public enterprise or undertaking. In the words of Khera, "By state undertakings is meant the industrial, commercial and economic activity carried on by the central government or by a state government or jointly by the central government and a state government,..... so long as it is managed by a self-contained management."<sup>37</sup> A Speaker of the Lok Sabha defined a public undertaking as "an organisation endowed with a legal personality and set up by or under the provisions of a statute for undertaking on behalf of the Government of India an enterprise of industrial, commercial or financial nature or special service in the public interest and possessing a large measure of administrative and financial autonomy."<sup>38</sup> This definition also includes the undertakings of the state governments. "Such enterprises range from transport systems (railways, roadways, air and shipping enterprises), generation and distribution of power, irrigation system, supply of water for industry and domestic consumption, mining and processing of coal, iron and other minerals, banking and insurance to industrial enterprises like integrated steel plants, machine tools, fertilisers and chemicals, manufacture of aircraft, of locomotives and of transport equipment, etc."<sup>39</sup>

It is difficult to formulate any definite criterion determining the sphere of operation which legitimately belongs to a statutory board, commission, council, company or corporation. However, a few reasons for the establishment of such agencies may well be surmized. In the first place, whenever it is found necessary to relieve the central/state government of responsibility for control over the day-to-day conduct of a regulatory function or the provision of a service or the management of business enterprise, a separate authority is created for the purpose. Secondly, a separate statutory authority is called for if it is considered desirable to entrust a regulatory function to representatives of those most closely affected, as in the case of councils for control over members of certain professions. Thirdly, this device can provide representation to interests concerned in the provision of a particular service or commodity, thus getting the benefit of their viewpoints which may not be possible in a departmental organization. Fourthly, at times such bodies perform more than administrative functions, namely, quasi-judicial and quasi-legislative functions, as in case of independent regulatory commissions in the United States of America and certain commissions and tribunals in

37. Khera, S.S., *Government in Business*, Bombay, 1963, p. 94.

38. *Directions by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha*, New Delhi, 1962, p. 68.

39. Gupta, K.R., *Issues in Public Enterprises*, New Delhi, 1975, pp. 3-4.

our country. Lastly, a separate agency may be considered desirable for the conduct of activities on the basis of business considerations, as in the case of state enterprises. We will discuss this topic under two broad heads.

**Public Corporation :** There is no one ideal form of organising state enterprises. In general, three main forms of organisation, each with significant variations, are now utilized for the administration of public enterprises, namely, departmental undertakings, government companies and public or government corporations. The departmental form is the oldest and traditional device of running enterprises and even to-day railways, posts and telegraphs and defence industries in India are managed under this form. It provides for the maximum degree of control by government. The joint-stock company form has been used widely in our country in respect of manufacturing and banking activities in the public sector. Both the central and the state governments seem to favour it. The Indian Companies Act recognizes two forms of companies, private limited and public limited. This form possesses the necessary freedom in finance and autonomy in administration and at the same time permits adequate control by the government. Public corporations have been described by W. A. Robson as "the most important constitutional innovation" of this century. A public corporation may be defined as "a legal entity created by the Government but exterior to the government organisation, hence financially independent, for carrying on specific activities prescribed in the law creating it."<sup>40</sup> *The Report of Administrative Reforms Commission Study Team on Public Sector Undertakings* (June 1967) has thus summarized the characteristics of this form of organisation :

- (i) It is wholly owned by the State.
- (ii) It is created by a special law defining its objects, powers and privileges, and prescribing the form of management and its relationship with government departments.
- (iii) It is a body corporate and can use and be used, enter into contracts and acquire property in its own name.
- (iv) Except for appropriations to provide capital or to cover losses, it is usually independently financed and obtains funds by borrowing either from the government or, in some cases, from the public and through revenues derived from the sale of goods and services, and has the authority to use and re-use its revenues.
- (v) It is ordinarily not subject to the budget, accounting and

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40. *Ibid.*, p. 25.

audit laws and procedures applicable to government departments.

- (vi) Excluding the officers taken from government departments on deputation, the employees of public corporations are not civil servants, and are not governed by government regulations in respect of conditions of service.

Public corporation, as a form of organising public undertakings, has been in vogue in many countries during recent years. Thus, both in Britain and France, nationalized industries, by and large, have been given the form of public corporations. The same is largely true of Canada and the United States of America. Nearer home in Sri Lanka as well the public corporation pattern holds the field. In our own country, the first Industrial Policy Resolution, 1948 had envisaged that the "management of State Enterprise will, as a rule, be through the medium of public corporations." This categorical statement of policy was not modified in the second Industrial Policy Resolution of 1956 nor has any change taken place since then. Nevertheless, the government has not made general use of the medium of public corporations. Instead, it has shown a distinct preference for the company form. The United Nations Seminar at Rangoon (1954), a later United Nations Seminar at New Delhi (1959) and the Estimates Committee (Second Lok Sabha) Eighth Report (1960), all recommended that all wholly state-owned public undertakings should generally be in the form of statutory corporations. The central government, however, did not accept these recommendations on the ground that the "company form was advantageous in that it allowed the flexibility and autonomy necessary for the successful operation of commercial enterprises and also provided for parliamentary control. . . . . under the . . . . . provisions of the Companies Act." The Krishna Menon Committee Report of 1961 kept the whole question open by observing that "Government consider that the form of management of the undertakings should be determined by the requirements of each case." The relative utility of each of the three forms of organising public enterprises was considered by the Administrative Reforms Commission which recommended : (i) the form of a statutory corporation should in general be adopted for public sector projects in the industrial and manufacturing field ; (ii) for projects in which there is a measure of private participation, the company form of organisation may be adopted ; (iii) promotional and development agencies should, as far as possible, be run as statutory corporations or as departmental undertakings ; (iv) for undertakings falling within the category of public utilities and services, public corporation is a more suitable form ; (v) undertakings which are pre-

dominantly trading concerns or which are set up to improve and stabilise particular areas of business may have the company form of organisation. The Government of India's decision on these recommendations was : "For certain enterprises providing public utilities which are primarily intended to develop the basic infrastructure facilities, the statutory corporation form of management may be preferable. For other enterprises including those operating in the monopolistic field but where the commercial aspect is predominant, the present form of a company may allow more flexibility. The government, therefore, does not consider that the form of statutory corporation should in general be adopted for public enterprises." However, the central government has passed many Acts nationalising existing enterprises and converting them into public corporations such as Electricity Supply Act (1948), Industrial Finance Corporation Act (1948), Damodar Valley Corporation Act (1948), Employees' State Insurance Corporation Act (1948), Road Transport Corporation Act (1950), State Financial Corporation Act (1951), Air Corporations Act (1953), Life Insurance Corporation Act (1956).

State governments too have followed the central lead and have resorted to different forms of organisation for managing their public undertakings. Thus, we find four types of undertakings in states : departmental undertakings, companies, co-operative undertakings and public corporations. We will give in the following table state-wise list of government companies and public corporations :

TABLE VII

State	Government Companies	Public Corporations
Andhra Pradesh.	Industrial Development Corporation. Small Scale Industrial Development Corporation. Mining Corporation Ltd. Tungabhadra Steel Products Ltd.	State Electricity Board. State Road Transport Corporation. State Financial Corporation.
Haryana.	The Nizam Sugar Factory Ltd. The Singareni Collieries Ltd. State Industrial Development Corporation. State Small Industries & Export Corporation. Haryana Dairy Development Corporation.	Ware-housing Corporation. Agro-Industries Corporation. Haryana Financial Corporation. State Electricity Board. State Transport Corporation.
Madhya Pradesh.	State Laghu Udyog Nigam. State Mining Corporation Ltd. State Audoyogik Vikas Nigam Ltd.	State Electricity Board. State Road Transport Corporation. State Ware-housing Corporation. State Financial Corporation. State Housing Board.

State	Government Companies	Public Corporations
Maharashtra.	State Small Scale Industries. Development Corporation. State Textile Corporation.  Manganese Ore (India) Ltd. B.E.S.T. of the Bombay Municipal Corporation. State Farming Corporation Ltd. Vidarbha Development Corporation Ltd.	State Housing Board. State Electricity Board. State Road Transport Corporation. State Board for Export Promotion. State Labour Welfare Board. State Ware-housing Corporation.
Orissa.	The Industrial Development Corporation. The Orissa Mining Corporation. The Orissa Transport Corporation. The Orissa Small Industries Corporation Ltd.	The State Ware-housing Corporation. The State Electricity Board. The Orissa Construction Corporation. The Orissa Forest Corporation. The Orissa Fisheries Corporation.
Punjab.	The Land Development & Seed Corporation Ltd. The Punjab Dairy Development Corporation Ltd. State Ware-housing Corporation Ltd. State Tube-well Corporation Ltd.	State Small Industries Corporation. State Financial Corporation. State Land Development & Finance Corporation. State Electricity Board.
Rajasthan.	State Industrial & Mineral Development Corporation. State Agro-Industries Corporation. State Hotels Corporation. State Small Scale Industries Corporation. The Ganganagar Sugar Mills.	State Transport Corporation. State Road Transport Corporation. State Ware-housing Corporation. State Electricity Board. Rajasthan Housing Board. Rajasthan Financial Corporation.
Uttar Pradesh.	Small Industries Corporation Ltd. State Industrial Corporation Ltd. State Textile Corporation Ltd. State Sugar Corporation Ltd. State Agro-Industries Corporation Ltd.	State Financial Corporation. State Electricity Board. State Housing & Development Board. State Ware-housing Corporation.

A study of the form in which public enterprises have been organised in different states shows that state governments have not necessarily followed the public corporation pattern ; in fact, they have, more often, followed the company form of organisation. Another fact that emerges from a look at the above table is that the nomenclature 'corporation' is confusing and can be used both for a govern-

ment company and a statutory corporation. In the third place, we find that most of the state governments have their own Electricity Boards and State Road Corporations organised as statutory public corporations. We will now study three aspects of the working of these corporations : boards of management, extent of autonomy and accountability.

**Boards of Management :** The quality of the working of a public enterprise largely depends on the kind of Board managing it. In the words of Gorwala, "Whatever the form, without suitable men at the highest level of management, the Governing Board or the Board of Directors, the likelihood of success is very little."<sup>41</sup> The management of a public undertaking, therefore, is entrusted to a governing board. In the case of a government company, it is called a board of directors as in private companies, while in the case of public corporations, it may be called board of governors or just a board. Broadly speaking, there are three types of boards—policy-making board, functional board and mixed board, and each of these forms may be found suitable under different circumstances. The members of the policy-making board are part-time, except the chief executive who may be a full-time chairman or a managing director. None of the members of such board is responsible for specified functions as an executive head. It does not concern itself with operational matters ; its functions are confined to general policy-making and supervision. The functional board, on the other hand, has members who are full-time and have specific responsibility for different subjects. They are specialists in their areas. The best example of such a board is the Railway Board. The mixed board has both full-time and part-time members. It is a mixture of the first two categories. The board of the Indian Oil Corporation is a good example of such a board. Preferences on which kind of board to choose differ widely. Government too have adopted different types of boards for different undertakings engaged, more or less, in the same kind of activity, but on the whole, preference has been given to the policy-making board. Taking the example of the State Electricity Board, an enterprise common to all the states and perhaps the largest in size and investment, we find marked differences in the composition of their governing boards. For instance, the Madhya Pradesh Electricity Board can be classified as largely a functional board. It has a membership of seven—chairman (a member of the Indian Administrative Service), member (finance), member (*technical and development*), member (river valley), member (*ex-officio*), member (*ex-officio*), and member—

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41. Gorwala, A.D., *Report on the Efficient Conduct of State Enterprises*, New Delhi, 1951, p. 19.



secretary (chief engineer). Of these, the chairman is appointed by the state government for an unspecified term, the two ex-officio members are secretaries to government in finance and electricity departments respectively and the remaining four members are in the service of the Board. On the other hand, in the case of some other states like Andhra Pradesh and Maharashtra, there are some non-official members nominated by the government to sit on the board. In general, the principal features of these boards are : (i) membership varies between three and eleven, (ii) there are two categories of members on these boards—official and non-official. The first category includes technical officers serving in the boards and generalist administrators who are generally ex-officio members. The second category comprises members of the state legislature, former members of Parliament, practising advocates and business executives. But it is found that the official element being in a majority dominates the boards (iii) members of the board are nominated by the state government except in the case of *ex-officio* members who are government officers ; (iv) there is no uniformity in respect of the chairman of the boards. Thus, while the chairman of some corporations are non-officials, in the case of others they are government officers on deputation. The powers and duties of the chairmen also vary from one corporation to the other ; and though autonomous bodies, they tend to follow the rules, procedures and practices of the government.

The wide range of activities of a public corporation include the appointment of the chief executive and the principal officers; the programmes of current and future output; plans for development and reorganization; major projects for new equipment; relations with Ministers on matters of policy ; the consideration of serious criticism by Parliament, consumers or the public and the action to be taken ; the result of negotiations with, or demands by trade unions on important matters ; general policy concerning finance, capital expenditure, prices, surpluses and deficits; the policy of the undertaking in staff matters, including questions of wages, incentives, morale, and consultation with employees; serious conflicts of interest or policy with other public corporations or with private interests; the allocation and the management of reserve funds; the action to reduce operating deficits; the adoption of important new inventions, process or improvements; policy on research and development, training and education.<sup>42</sup>

**Autonomy of Public Corporations :** The principal benefits of the public corporation, as a form of organisation, are said to be freedom

42. Robson, W.A., *Nationalised Industry and Public Ownership*, London, 1962, p. 212.

from undue governmental control and regulation and the high degree of flexibility in personnel and financial matters. Indeed the *raison d'être* of preferring the statutory corporation form of organisation is said to be the autonomy it enjoys. However, in actual practice, such autonomy has been whittled down by governmental interference. The various state governments too have followed the example set by the central government and various types and degrees of interference in the affairs of the corporations have virtually reduced their autonomy to a formal facade.

**Public Accountability and Control :** No one has challenged the need for corporations to be accountable to Parliament for their working and the consequent need for control over them. One of the insoluble problems in this field is how to reconcile autonomy of public corporations with their accountability to Parliament. "Public enterprises are owned by the State.....they are created by investments from the funds of the Exchequer, and must, therefore, be subjected to the accountability to which all activities financed from public revenue must be subjected. There are other reasons too for insisting that public enterprises should function within the four corners of public accountability. More often than not, public undertakings are set up in nationalized sectors of industry, and therefore, function in an environment that provides the advantages of full or partial monopoly. Parliament, Government and the public must, therefore, be satisfied that they are being run efficiently, that conditions of monopoly do not lead to the exploitation of the consumer or deterioration in the quality of goods and services".<sup>43</sup> In a democracy public accountability involves parliamentary supervision and control over these enterprises. The responsible ministers are the chief instruments to exercise such control. The various forms of ministerial control can be summed up as follows :

- (i) To make appointments to the boards of public corporations, that is, members, chairman, managing director, etc., and, under certain circumstances, to remove from office any member of the board. The government has also the right to supersede the board and to appoint a new board. The government can also depute one or two of their officers to attend any meeting of the board, but they do not have voting right.
- (ii) To give directions of a general nature on matters like capital investment, personnel policies, development programmes and other matters affecting national interest.

43. *Report of the Study Team (Administrative Reforms Commission) on Public Sector Undertakings*, New Delhi, 1967, p. 45.

The government can also issue specific directives. Such directives must be carried out.

- (iii) To frame rules and prescribe procedures to be followed in various matters.
- (iv) To ensure that the enterprise is being run efficiently as a business concern and to institute an enquiry into its working if found necessary.
- (v) To approve programmes of reorganization or development involving substantial capital outlay to be financed from the exchequer and to approve the capital budget of the corporation before presenting it to parliament.
- (vi) To obtain information from the corporation. Every statutory corporation is required under enactment to submit an annual report on its activities, policy and programmes to the government.

As regards parliamentary control over public corporations, it is generally agreed that it should not extend to matters of day-to-day administration. Giving guidelines in this matter the Speaker of the Lok Sabha observed in 1953, "... the House is entitled to have all information that is reasonably necessary and just to judge whether the administration of a particular corporation, which is autonomous, is being carried on properly or not. But it ought not to enter into details so as to interfere with the autonomy of the particular corporation."<sup>11</sup> The main instruments that Parliament uses to supervise and control the working of public enterprises are ; questions and interpellation of the responsible minister; debates on various occasions including budget debates ; discussion on annual and other reports ; and examination by parliamentary committees. Important of such committees are the parliamentary Public Accounts Committee and in particular the Parliamentary Committee on Public Undertakings set up in 1963. The state legislatures too have their own Public Accounts Committees and many of them have also established their own Committees on public enterprises or undertakings. For instance, the Orissa Legislative Assembly constituted its Committee on Public Undertakings on 9th October, 1964, but it actually started functioning from 1st April, 1965. The committee consists of seven members of the Assembly chosen according to the principle of proportional representation by means of single transferable vote. The functions of the committee are

- (i) to examine the reports and accounts of the public undertakings specified in the schedule attached to the resolution constituting the committee ;
- (ii) to examine the reports, if any, of the Comptroller and

**Auditor-General on public undertakings in Orissa ;**

- (iii) to examine whether the affairs of the public undertakings in the state are being managed in accordance with sound business principles, and prudent commercial practices ; and
- (iv) to perform such other functions vested in the Public Accounts and Estimates Committee of the state legislature as may be allotted to the Committee by the Speaker of the Assembly.

However, the following matters are beyond the jurisdiction of the Committee :

- (i) Matters involving major government policy with regard to public undertakings.
- (ii) Matters of day-to-day administration.
- (iii) Matters for whose consideration specific machinery is established by any special statute under which a particular public enterprise is established.

The committee calls for information from the concerned departments, sends questionnaires, conducts study tours, takes evidence from officials, discusses with ministers, records its proceedings, frames conclusions and recommendations, prepares the draft report, makes factual verification of the report, prepares the final report and presents it to the government. Soon after the presentation of the report, the government is required to furnish a statement showing their views on the recommendations of the committee and the action taken on them. The replies of the government and the official comments on the report are then circulated among the members of the committee. On the basis of the comments of the committee, the report is finally prepared by the government indicating the extent and nature of its acceptance of the recommendations of the committee. This report is then presented to the assembly for discussion.

**Autonomous Bodies other than Public Corporations :** The scope and activities of the Government have increased considerably which has led to the creation of autonomous organizations such as government companies, departmental undertakings, statutory corporations, universities, research and training institutions, etc.

Besides, there are 'professional councils' which exercise control over members of the medical, dental, nursing, pharmaceutical and veterinary professions. In the case of medical profession in Maharashtra these bodies are : The Maharashtra (Bombay Area) Medical Council and the Vidarbha Medical Council, the Maharashtra Board of Ayurvedic and Unani Systems of Medicine, and the Board of Homoeopathic and Biochemic Systems of Medicine. There are similar councils for nursing, pharmaceutical and veterinary professions. A common

feature of these boards/councils is the maintenance of registers of persons entitled to practise their respective professions and the exercise of disciplinary control over persons in the register, including the power to remove their names from the register for misconduct. In some cases these bodies are given the powers of civil courts in the conduct of disciplinary proceedings. These bodies are partly elected and partly nominated by the state government, and, in some cases, representation is given to the appropriate university faculties. The state government has varying powers of supervision and control over these bodies. Similar bodies exist in other states, though there are differences regarding the composition of these bodies.

Another type of statutory body which is coming into vogue is the administrative tribunal. The phenomenal increase in the functions of government in recent years has led to concentration of enormous powers in the hands of the executive branch of government. These powers include both subordinate law-making powers and quasi-judicial authority. This gives rise to more litigations and restrictions on the liberty of the individual. In a welfare socialist state the impingement of authority on the common citizen becomes pervasive leading to frequent disputes between individuals and authority. The ordinary law courts being too heavily burdened with their own civil, criminal and revenue work and their procedures being too cumbersome and time-consuming, the statutes frequently provide for the settlement of such disputes by specially created administrative tribunals, which are manned by persons familiar with the subject-matter under dispute. An important function of such tribunals is to bring about reconciliation between claims of individual rights and demands of public good.

## VI. Local Self-Government—Rural and Urban

In this section we first attempt a survey of the evolution of local self-government in the country and then give a brief account of the composition, functions and working first of the rural local government—*panchayati raj*—and then of the urban local government as found at the present time.

**Evolution of local self-government :** India has been known to be a land of village *panchayats* since times immemorial. These ancient village communities have been immortalized by Sir Charles Metcalfe, a leading civilian in the service of the East India Company, who, writing in 1830, described these communities as “little republics having nearly everything they want within themselves; and almost independent of foreign relations; they seem to last where nothing else

lasts . . . . . This union of the village communities, each one forming a separate little state in itself, has, I conceive, contributed more than any other cause to the preservation of the people of India through all the revolutions and changes which they have suffered; and is in a high degree conducive to their happiness, and to the enjoyment of a great portion of freedom and independence."<sup>45</sup> However, the pre-1947 local self-governmental institutions in India were the creations of the British rule and the post-independence institutions have been largely built on them. The origin of the municipal institutions in India can be traced back to the orders of the Court of Directors of the East India Company directing the formation of a corporation consisting of European and Indian members for the city of Madras for the purposes of raising local taxation. The first municipal corporation of India thus came into being in 1688. Calcutta and Bombay were given similar types of corporations in 1720 and 1793 respectively. Outside the presidency towns, efforts were made to establish urban local bodies after 1842. As regards the rural self-governmental bodies, the ancient village system was known to be popular and efficient, at least in the Bombay and Madras presidencies. But during the 19th century, notwithstanding the statutory recognition of *panchayats* as petty courts in Bombay and Madras, they received insufficient encouragement from district authorities. However, the Resolution of Lord Lawrence in 1864 admitted that "the people of this country are perfectly capable of administering their own local affairs . . . every view of duty and policy should induce us to leave as much as possible of the business of the country to be done by the people." A further step in the direction of local self-government was taken in 1870, when Lord Mayo's government in their Resolution of the same year dealing with decentralization of finance, referred to the necessity of taking further steps to bring local interest and supervision to bear on the management of funds devoted to sanitation, public works, etc. New municipal acts were consequently passed between 1671 and 1874. These acts incidentally extended the elective principle to municipal bodies. It would, however, appear that the dominant motive in this fresh attempt to develop local institutions was to relieve the burden on imperial finances by levying local rates and taxes.

The next important step in the same direction was taken during the viceroyalty of Lord Ripon who has been rightly called "the father of local self-government in India." In 1882 his government issued the famous Resolution which continued to influence the development of local government till 1947. The most significant feature of the new policy was the remarkable shift in the approach to the problem. In the

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45. Quoted in Elphinstone's *History of India*, London, 1905, p. 68.

words of the Resolution : "It is not primarily with a view to improvement in administration that this measure is put forward and supported; it is desirable as an instrument of political and popular education." In pursuance of this policy the Resolution advocated the establishment of a network of local self-government institutions with special emphasis on the necessity for meeting the hitherto neglected requirements of the rural areas, the reduction of the official element in the local bodies to not more than a third of the whole, the exercise of control from within and not from without, a larger measure of financial decentralization and adoption of election as a means of constituting local bodies wherever possible. In consequence, a series of acts regarding municipal bodies and a variety of enactments regarding rural areas were passed. Unfortunately, neither the central government nor the provincial governments faithfully carried out the policy of Ripon.

The next important stage was reached in 1915 when the Government of India issued an important Resolution enunciating their policy of progressive reforms of local bodies. Soon thereafter, Montagu, the Secretary of State for India, issued his famous declaration of August 20, 1917 promising "the progressive realisation of responsible government in India" and the central government followed it up in 1918 with another Resolution affirming the necessity of removing all unnecessary official control over local institutions, making them as representative as possible and giving them powers that were real. The Montagu-Chelmsford Report on Indian constitutional reforms (1918) examined the existing system of local government and came to conclusion that throughout the educative principle has been subordinated to the desire for immediate results. It suggested that there should be vested as far as possible complete popular control in local bodies and the greatest possible independence for them from outside control. Executive action was taken in 1920 to implement these principles when the franchise was lowered.

Under the Government of India Act of 1919, local self-government became a 'provincial' and 'transferred' subject under a responsible Indian Minister. During the period of dyarchy (1921-37), all the provincial governments displayed great zeal for the progress of local government and many acts were passed with that end in view. The general trend of these acts were practically similar. In general, they aimed at lowering the franchise and increasing the elected element to the extent of making it the arbiter of policy in local affairs. Laws were also passed in various provinces for the growth of village *panchayats*. On the whole, the attempt was to lessen the official control, to make the local bodies representative of the people and to endow them with adequate authority.

The principal feature of the Government of India Act, 1935 was the grant of provincial autonomy. With the inauguration of 1935 reforms on April 1, 1937 and the assumption of office by popular ministries, there was a marked move in the direction of democratizing local bodies and strengthening them. But nothing substantial could be achieved due to the short-lived tenure of such ministries (1937-39) which resigned in November 1939 due to the differences with the Government of India on the conduct of the Second World War. The termination of the war in 1945 and the subsequent ending of political deadlock in 1946 was followed by general elections which led to Indian National Congress once again assuming office in majority of the provinces. This time again the tenure was short-lived because on August 15, 1947 a new Constitution came into operation.

On the eve of independence, different provinces had more or less a common pattern of local government. For example, in Madhya Pradesh (then known as the Central Provinces and Berar), local bodies of different kinds functioned. In towns and cities there were municipalities. In small towns there were notified area committees and in yet smaller towns, which were only semi-urban areas, there existed sanitation *panchayats*. In rural areas there were found district councils in all the districts and in some of the important sub-divisions. Then there were local boards in all *tahsils*, which had no independent powers or duties and merely exercised delegated authority and depended on the allotment of funds from the district councils. But there also existed side by side a few independent local boards in some areas which had independent sources of revenue and independent authority to administer their own affairs. Finally, there were the *gram panchayats* in villages with no independent sources of revenue and hamstrung by the control of the district councils. It should be noted that some provinces like the United Provinces did not have the institution of local boards at the *tahsil* level.

A period of three years elapsed between the ushering in of independence and the inauguration of the new Constitution on January 26, 1950. During this short period many provincial governments embarked upon a policy of giving a new basis to their local government and restructuring it. The Madhya Pradesh government took an important lead in this direction. This government made drastic changes in the entire set-up of local self government institutions in the state with the two-fold objective of bringing about a measure of uniformity in such bodies and liberalising their powers and authority with a view to making them really self-governing. The first two cities of the state, viz., Nagpur and Jabalpur were given municipal corporations. All other cities were brought under the Central Provinces and Berar



**Municipalities (Amendment) Act, 1947.** Notified area committees were abolished. In rural areas a revolutionary change was introduced. Sanitation *panchayats* were abolished and so were local boards and district councils, and in their place was introduced the radical *janapada* set-up in 1948. The *janapada* scheme may be said to be the precursor of the *panchayati raj* scheme embodied in the Balwant Ray Mehta Study Team Report of 1957 and in many ways it anticipated the latter. It may not be out of place here to describe the principal features of this radical set-up :

- (i) The creation of a new level of administration in the *tahsil*, that is to say, to make the *tahsil* the basic unit of administration instead of the district. This was a bold step in the direction of decentralized democracy. It was felt that the benefits of democratic government in a welfare state could not be fully realised unless problems which were not central or state in their incidence were decided at the place and by the persons where and by whom the incidence was deeply felt. The state government, therefore, decided to shift the centre of gravity of administration from the district to the *tahsil*. In consequence, district and local boards were abolished and *janapada sabhas* created in their place. The whole state was divided into 96 *janapadas* whose areas coincided with the old *tahsils*, and the aim was to make them self-contained units of democratic administration.
- (ii) The integration of local administration with the state administration. The administrative system prevailing in the districts might well be called a system of administrative dualism. On the one hand, there were district officials administering certain subjects on behalf of the state government; on the other hand, there were local bodies administering certain specified subjects in the same area and in relation to the same subject matter, with the result that there was neither uniformity nor unity of purpose in administration. The new scheme sought to demolish this wasteful and unwholesome dualism by bringing about an integration between the two parallel agencies. Accordingly, the additional deputy commissioner and district magistrate was made the chief executive officer of the *Janapada* and the *tahsildar* was made the deputy chief executive officer and secretary in each *janapada sabha*. Simultaneously, other local officers, specially those in-charge of technical departments were to work as secretaries to the

various standing committees of the *sabha*.

- (iii) As the *janapada sabhas* were not financially and otherwise in a position to recruit competent personnel, the scheme provided that the *janapada* administration be carried on almost wholly by officers of the state government posted in that area. This provision, for the first time in the history of administration of local bodies, guaranteed an efficient personnel to local bodies.
- (iv) A distinction was made between policy-making and policy-execution functions by entrusting the former functions to the elected *sabhas* and the latter to nominated civil servants. This followed the pattern of the City Manager Plan in the United States of America or nearer home the model obtaining in the municipal corporations in the country itself.

The *janapada* scheme, as initially planned, was to be introduced in three stages. The first step was taken on July 1, 1948, when it was introduced in the integrated princely states and on August 15 when the district councils and local boards were abolished all over the state and *janapada sabhas* established in their place. After two years of the working of the new set-up, the government decided to go ahead with the second stage of the scheme, and on July 1, 1950 the *janapada-cum-tahsil* administration was set up with a view to making *janapada* a self-contained unit of administration. At the third and ultimate stage, the intention was to abolish the districts and deputy commissioners and group a suitable number of *janapadas* into divisions. Unfortunately for the scheme, soon after the introduction of the second stage, its sponsor went out of ministerial office and the newly planted delicate plant began to miss the caresing hand of its father and the scheme fell on evil days. The Rural Local Self-Government Committee appointed by the state government, in its report of 1959, recommended the abolition of the *janapada* set-up and its substitution by the three-tier *panchayati raj*. In the words of the Balwant Ray Mehta Report, the "scheme has had a trial for over eight years and the results are admittedly disappointing."

The new Constitution has made a distribution of powers, authority and responsibility between the union and the states. There is no further distribution of powers as between the states and local bodies, which are just the creatures of state legislatures and have no independent and separate status of their own. Entry 5 in the seventh schedule includes "Local government that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government of village administration. In addition, Article 40 of the Chapter on Directive Principles of State Policy enjoins upon

the state to "take steps to organise village *panchayats* and endow them with such powers and authority as may be necessary to enable them to function as units of local government".

**Community Development and National Extension Services :** In pursuance of the directive principles of state policy, the emphasis in district administration has come to be placed overwhelmingly on developmental administration. District administration, thus, has become an agency of change towards a new social order and has to respond to the needs and aspirations of the people. With this end in view the Planning Commission in the First Five-Year Plan, 1951 made proposals for setting up a rural extension service and the manner in which it should be organised for securing integrated development. The Fiscal Commission of 1949 had earlier recommended the launching of a national extension service movement covering the entire country. Both these concepts were inextricably intertwined. Community development was described as the method and rural extension as the agency through which the transformation of the social and economic life of villages was to be initiated. The historic community development programme was launched on Gandhiji's birth-day, October 2, 1952. Two essential elements of the new programme were : (i) all-round development of people in rural areas, which meant that the new programme was a multi-purpose one with several dimensions in the social, economic, educational and cultural fields; and (ii) people's participation. The essence of the programme was that the initiative must come from the people themselves. It was to be a people's programme with governmental participation and not a governmental programme with people's participation. This objective is sought to be achieved through the fullest development of available human and material resources on an area basis and thereby raise the rural community to higher levels of living. The highest priority in the programme is accorded to agriculture, the mainstay of about 70 per cent of the rural population. Other important sectors, include improvement of communications, health, sanitation, housing, education, rural employment, welfare of women and children and cottage and small-scale industries.

The entire concept of community development was conceived by the union government and, to begin with, the administration of the programme was entrusted to a newly created agency called the Community Projects Administration located in the Planning Commission. Soon afterwards, this agency was raised to the status of a separate and independent Ministry of Community Development in September, 1956. In January 1966 this ministry was merged into the Ministry of Food and Agriculture, renamed as Ministry of Food, Agriculture, Community Development and Co-operation. This continued to be the position till

1974 when in October of that year co-operation was taken out of the Agriculture Ministry and made a part of the reconstituted Ministry of Industry and Co-operation. Then main functions of the Department of Community Development are to lay down policy relating to this programme and formulate the plan of expenditure to be incurred in the blocks. To advise the central government on the twin programmes of community development and *panchayati raj*, a joint consultation council was constituted in 1971. The responsibility for the execution of the programme, however, lies with state governments. A development commissioner is in charge of the community development programme in every state. In some states e.g., Uttar Pradesh, however, there is an integrated department of agricultural production and rural development under the agriculture production commissioner, who is in charge of agriculture in its wider sense, including community development, *panchayati raj* and cooperation. The development commissioner has threefold functions : (i) he maintains a two-way relationship with the centre; (ii) he provides the co-ordination point for harnessing, relating and guiding all technical services of the state government and to ensure that each training centre and each block is properly supervised and staffed; and (iii) he maintains administrative relationship with the collector and the *zila parishad* in planning, co-ordinating, executing and evaluating the work of community development blocks in the district. In addition, the state government have set up a body known as the State Development Committee consisting of the Chief Minister as the chairman, the Ministers for development departments as members and the development commissioner as the secretary. At the district level, *zila parishad* is responsible for the co-ordination and implementation of the programme. At the block level, the *panchayat samiti* is responsible for the programme. The administrative personnel, consisting of a block development officer and eight extension officers who are experts in different fields such as agriculture, cooperation and animal husbandry, work under the direction of the *samiti*. At the village level, while the *panchayat* is in overall control of the programme helped by associate organizations, the *gram sevak* acts as a multi-purpose extension agent having about ten villages in his charge.

It is realised from the very beginning that the collector, as the senior-most officer in the district, was the most suitable officer for taking over the responsibility of the district development programme. Thus, in Rajasthan, the Chief Minister declared at the very beginning of this programme in 1952 that the collector was to be the coordinating authority for this task. Later orders made it clear that the collector was to oversee the development programme of the district. In Jammu and Kashmir, the collector/deputy commissioner has been given the

status of development commissioner. In almost every state the collector was helped by an advisory body known as the District Advisory Committee (Madhya Pradesh) or District Development Committee (Assam). These committees consisted of the officers of different development departments as well as the non-official representatives of the people under the chairmanship of the collector. These committees brought the official and the non-official elements together for the purpose of discussing development programme and reviewing their implementation.

Two other steps were taken in the direction of successful execution of development programmes. Firstly, a new territorial unit known as the block was created. Each block was to be the unit for development. When the programme was inaugurated on October 24, 1952, it was planned to establish in the first stage 52 rural community projects each covering approximately 300 villages with a population of about 2,00,000 and an area of 1,50,000 acres. A project area was divided into three development blocks. The first block was scheduled for more intensive development, while the second and third blocks in each project were to be developed only if and when funds and personnel were available. Secondly, in October 1953, the National Extension Service was introduced with a view to extending the coverage of assistance to a greater number of rural communities. Under this arrangement a national extension service block consisted of an average of 100 villages with a population of 65,000, identical with the community project blocks, but less funds and staff were allotted to such blocks. The two programmes, namely, the community development and the national extension service had identical aims. The latter was a permanent organization which was to cover the entire country in course of time. It provided the administrative set-up and minimum financial provision for development. The blocks in which results had been achieved through maximum popular participation were subsequently selected for intensive development for a period of three years under what was called the community development programme.

Initially, a community development block covered an area of about 1,300 sq. km. with about 300 villages and a population of about 2,00,000. The pattern has been revised from April 1, 1958. A block now covers an area of about 620 sq. km. with about 110 villages and a population of about 92,000. A block has two active stages of operation, stage I of five years followed by stage II of another five years. At the end of ten years, the block enters post-stage II phase. On April 2, 1974, out of 4,177 blocks for which state-wise break-up was available, 22 were in stage I, 498 in stage II and 3,657 in post-stage II phase. For implementing the programme in the blocks, there

is a schematic budget provision of Rs. 12 lakhs for stage I and Rs. 5 lakhs for stage II. Supply of funds for the blocks remained the responsibility of the central government till the end of the Third Plan (1966). But from the beginning of the Fourth Plan the financial arrangements became the responsibility of the states. As on April 2, 1974 the number of such blocks was 5,123 covering about 5,66,800 villages having a population of 4,712 lakhs approximately.

**Panchayati Raj :** An evaluation of the working of the community development and national extension service programmes revealed that they had not succeeded much in activizing the people nor in winning their participation. The people continued to look upon these programmes as government programmes. An important landmark in the development of these institutions was the appointment by the Committee on Plan Projects of the Planning Commission of a Study Team under the chairmanship of Balwant Ray Mehta in January 1957 to review the working of the community development programme and also to examine the question of reorganization of district administration by providing for the association of popular organizations between the village and the state levels. The Study Team submitted its report in November of the same year. Summing up its evaluation of the working of rural development programmes, the Team observed : "Admittedly, one of the least successful aspects of the C.D. and N.E.S. work is its attempt to evoke popular initiative. We have found that few of the local bodies at a level higher than the village panchayat have shown any enthusiasm or interest in this work, and even the panchayats have not come into the field to any appreciable extent. An attempt has been made to harness local initiative through the formation of *ad hoc* bodies mostly with nominated personnel and invariably advisory in character. These bodies have so far given no indication of durable strength nor the leadership necessary to provide the motive force for continuing the improvement of economic and social condition in rural areas. So long as we do not discover or create a representative and democratic institution which will supply the 'local interest, supervision and care necessary to ensure that expenditure of money upon local objects confirms with the needs and wishes of the locality', invest it with adequate powers and assign to it appropriate finances, we will never be able to evoke local interest and excite local initiative in the field of development."<sup>46</sup>

To achieve the above objective, the Study Team recommended "democratic decentralisation" with a three-tier structure of local bodies, namely, the directly elected *panchayat* at the village level, the *Pan-*

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46. *Report of the Team for the Study of Community Projects and National Extension Service*, Vol. I, New Delhi, 1957, p.5.

*chayat samiti* at the block level and the *zila parishad* at the district level. These democratic bodies were to be organically linked at village, block and district levels. Above the directly elected village *panchaya'ts*, the Team envisaged a *panchayat samiti* indirectly elected by the *panchas* and all *panchayats* grouped together in convenient units and electing persons from among themselves to be members of the *samitis*. The *zila parishad* was to consist of all the presidents of *panchayat samitis*, all the members of the state legislature and Parliament in the district and the district level officers of the medical, public health, engineering, agriculture, veterinary, education, backward classes welfare, public works and other development departments. The Team conceived the *panchayats* and *panchayat samitis* as executive bodies and the *zila parishad* as a co-ordinating and supervisory body with the collector as the chairman. The Team also envisaged the possibility of devolution of powers to the district body, though it regarded the *samiti* as the most appropriate means of decentralization of power in a democracy. The Team recommended that these bodies should be entrusted with all planning and developmental activities in the district. These recommendations were accepted by the National Development Council in January 1959. The Council agreed that there should be no insistence on a single rigid pattern and left it to the states to work out a pattern suited to their requirements. It, however, recommended the following basic principles for acceptance by all states :

- (i) There should be a three-tier structure from the village to the district level, each tier linked to the other.
- (ii) There should be adequate transfer of power and responsibilities to these bodies.
- (iii) Keeping in view the transfer of power and responsibilities, adequate resources should be placed at their disposal.
- (iv) All development programmes at each level should be entrusted to these bodies.
- (v) The system ultimately evolved should be such that further devolution of powers will be facilitated.

*Panchayati raj* was first introduced in Rajasthan when the Prime Minister inaugurated it on October 2, 1959. Andhra Pradesh too introduced the new system at more or less the same time. It has since spread over the bulk of the country. A few states like Meghalaya, Nagaland and 23 out of 31 districts in Bihar had not adopted the new system till the end of 1975. In addition, some states like Madhya Pradesh have not yet set up *zila parishad* and thus have only a two-tier system. As regards union territories, the institution of village *panchayats* exists in all of them except Lakshadweep, Mizoram and Pondicherry (1975). Arunachal Pradesh has a three-

tier system. There were, till the end of 1975, 2,19,829 village *panchayats*, 3,863 *panchayat samitis* and 201 *zila parishads* in the country. However, there is a wide variation as between one state and the other even on basic matters like the number, nature and contents of the three-tier structure of *panchayati raj*. In fact, different states have interpreted and applied the recommendations of the Mehta Team in the light of conditions prevailing in their own territories. Thus, at the one extreme, there is a two-tier structure of *panchayati raj* in Tamil Nadu. In that state there exists at the lowest level a *panchayat* for every viable village. Above it is a *panchayat* union at the block level consisting of presidents of *panchayats* with provision for co-option of members representing special interests and participation of legislators. There is no *zila parishad* at the district level. Instead, there exists a District Development Council consisting of chairmen of *panchayat* union councils, chairmen of municipalities, legislators and officers of different development departments with the collector as the *ex-officio* chairman. On the other hand, the *panchayati raj* in West Bengal is a four-tier system. At the lowest level are the *gram panchayats*, the jurisdiction of each of which extends over a few villages. Above them are the *anchal panchayats* whose territorial jurisdiction coincides more or less with the jurisdiction of the former Union Boards. Above them stands the *anchalik parishad* whose jurisdiction is coterminous with the National Service Block. At the district level the *zila parishad* has been established in place of the previous District Board. In the case of Assam, though there are three tiers yet there is no body comparable to *zila parishad* at the district level. Thus, there is the *gaon panchayat* at the village level, the *anchalik panchayat* at the block level and the *mahkum parishad* at the sub-division level.

Similarly, a wide variation exists between different states on the relative position of the *panchayat samiti* and the *zila parishad*. For example, both Gujarat and Maharashtra have made *zila parishads* the strongest of the three tiers. Unlike the model of a district institution with purely supervisory and co-ordinating functions as envisaged by the Mehta Team, it was considered desirable to establish a strong popular body at the district level which could be entrusted the duties, responsibilities and resources of all the previously existing bodies at district level and to further entrust such a body with other administrative responsibilities at that level. The *zila parishad* in Maharashtra, thus, is a body consisting of 40 to 60 councillors directly elected by the people in addition to *ex-officio* members with an elected president and has a term of five years which is coterminous with the tenure of the legislative assembly in the state. To this body are entrusted



all planning and execution of development tasks. The *panchayat samiti* is only executive and administrative agency of the *parishad* to perform functions delegated to it by the *parishad*. The president of the *zila parishad* is an important political personality in the district and has been described at times as "the District Chief Minister". He gets a monthly salary plus car allowance. The *parishad* has a full-fledged administrative structure to serve it under the charge of the chief executive officer, a senior member of the Indian Administrative Service.

As against the Maharashtra pattern, there exists the Rajasthan model in which the pride of place goes to the *panchayat samiti* at the block level, which is a powerful unit in terms of the Mehta Team's recommendations and is entrusted with the task of rural development. The *zila parishad*, on the other hand, is a co-ordinating and supervisory body. Secondly, unlike Maharashtra, the *zila parishad* in Rajasthan is an indirectly elected body with a tenure of only three years. In some states, for instance, Haryana, Punjab and Mysore, the *zila parishad* is in the main an advisory and co-ordinating body though it also exercises ancillary functions of supervisory nature over the *panchayati samitis*. In some other states like Gujarat, Uttar Pradesh and West Bengal, the *zila parishad* exercises various administrative functions besides providing co-ordination and advice.

We will now bring out in some detail the differences between the Maharashtra and Andhra Pradesh models. The fundamental difference between the two models is that while the former has envisaged *zila parishad* as the most powerful of the three tiers, the latter has given prominent place to the middle tier, the *panchayat samiti*. "In Maharashtra the *zila parishad* represents for all practical purposes, district government with *panchayat samitis* and village *panchayats* as its territorial executive divisions and sub-divisions. On the contrary, in Andhra Pradesh the *zila parishad*, except in certain specified respects, was designed as a co-ordinating, supervising and advisory agency, largely operating in between the State Government and *panchayat samitis*."<sup>47</sup> Let us now compare the two models in terms of their composition and functions. In Maharashtra the *zila parishads* consist of four types of members : elected councillors, 40 to 60 in number, chosen by direct election on the basis of adult franchise from single member constituencies; *ex-officio*, that is, chairmen of all *panchayat samitis* in the district; five associate members chosen by the state government from the chairmen of Federal Co-operative Societies; and two co-opted women members in case no woman member is elected

47. Muttalib, M.A., *Development Administration in Rural Government*, Hyderabad, 1973, p. 24.

as councillor. The president and the vice-president of the *parishad* are elected by the elected councillors from amongst themselves. The tenure of the *parishad* is five years. On the other hand, in Andhra Pradesh the *zila parishad* is composed of two classes of membership : *ex-officio* comprising the presidents of *panchayat samitis*, members of the houses of state and central legislatures drawn from the district and the collector; and co-opted members representing the weaker sections of society chosen through election by the first category of members with the collector in the chair. The chairman and the vice chairman of the *parishad* are elected by the councillors from among the non-official members. The term of the *parishad* here too is five years. As regards the powers of the *parishad* in Maharashtra, these are enumerated in three lists : by the Act the *zila parishad* list includes 123 items grouped under 18 subjects of activities; *panchayat samiti*, list comprises 74 items under 16 similar subjects; and the concurrent list detailing subjects common to both bodies.

The state government may, however, omit or amend any entry from the First and Second Schedules with the previous approval of the state legislature. The activities listed in the First Schedule are those which can be undertaken for the district as a whole, while the activities listed in the Second Schedule can be carried out in each block. Both the schedules contain subjects relating to agriculture, animal husbandry, forests, social welfare, education, medicine, public health, buildings and communication, engineering, co-operation, publicity, community development, social education and rural housing. The *zila parishad* can carry out any other work or measure which is likely to promote the interest, well-being and convenience of the public. The *parishad* has rule-making power in respect of subjects entrusted to it; administrative functions regarding sanctioning, executing and maintaining works and development schemes, general supervision and control over the *parishad* authorities; civil functions like promotion of health, safety, education and well-being of the citizens, and financial functions like framing annual budget estimates imposing, subject to government orders, various types of taxes, fees and stamp duties. In Andhra Pradesh, the *zila parishad* consolidates plans in respect of all the blocks in the district and co-ordinates the activities of the *samitis*. It examines and approves their budget. It may establish, maintain or expand secondary, vocational and industrial schools. It also advises the state government in all matters relating to development programmes. The *parishad* also functions as an advisory and supervisory body over the *samitis*. In addition, it performs functions of a *samiti* in areas where *samitis* have not been constituted.

For purposes of administration, the chief executive officer in Maharashtra is the head of the *zila parishad* administration. He is a senior officer of the Indian Administrative Service and is appointed by the government to this post. In Andhra Pradesh the collector of the district plays a very important role in *panchayati raj* administration. In Uttar Pradesh the additional district magistrate (Planning) or the district planning officer is the chief executive officer of the *parishad*. The block in each state is headed by an officer called the block development officer (BDO). He is a generalist administrator and his main role is to co-ordinate the activities of extension officers in diverse fields of rural development. He also supervises the work of extension officers and of village level workers. He is the captain of the administrative team at the block level. He has sometimes been described as "a miniature collector so far as the development administration at samiti level is concerned". The multi-purpose village level worker (VLW) or *gram sewak* is the last link in the administrative chain. He has about ten villages in his charge. There are variations in his role from state to state. Thus, in Maharashtra he is responsible for the secretariat work of the village *panchayat*, being its *ex-officio* secretary in addition to his duties regarding development. In Uttar Pradesh he is more intensely concerned with agricultural production and family planning.

**Role of the Collector in Panchayati Raj :** After 1947 the collector was called upon to play a prominent role in the implementation of development programmes relating to health, prosperity and happiness of the people. The year 1952 witnessed the introduction of the Community Development programme and the next year of the National Extension Service programmes which spread throughout the country in subsequent years. For the successful implementation of these programmes it was found essential to harness into service the traditional prestige and position of the collector. This completely changed the emphasis of the duties of the collector. From regulatory activities the emphasis now shifted to development activities. The introduction of the *panchayati raj* in 1959 added new dimensions to developmental activities. The Balwant Ray Mehta Team recommended that the collector should be closely associated with the functioning of the new institutions. It envisaged his role as the captain of the team of officers of development departments in the district and recommended that he should be made fully responsible for securing necessary co-ordination into the preparation and execution of district plans. The Team also suggested that the collector should function as the chairman of the *zila parishad*. However, in actual legislation passed in the various states, the role assigned to him has varied considerably.

One can discern three distinct models of *panchayati raj* from this point of view. At the one extreme comes Andhra Pradesh where the collector's involvement in *panchayati raj* is manifold. At the district level he is a member of the *zila parishad* and the chairman of all its Standing Committees. He is also the chairman of the District Co-ordination Committee which consists of the district officials connected with *panchayati raj* and the block development officers. Its main task is to review the work done and iron out difficulties in the implementation of programmes. His responsibilities at the block level are no less important. He is required to make inspection of *samiti's* programmes and is empowered to suspend such resolutions of the *samitis* as are contrary to the laws and are likely to disturb the peace in the area. The collector has also been given prominent role in the village *panchayat* affairs. He has been delegated wide powers of supervision and control over *panchayats*. He can cancel the resolutions of *panchayats* under certain circumstances and direct a *panchayat* to execute any specified work. Supersession and dissolution of a *panchayat* is also done by him. In addition, he has administrative control over the block development officer, the secretary of the *zila parishad* and the district *panchayat* officer. In Tamil Nadu, even more than in Andhra Pradesh, the collector is the king-pin of development activities. He is the chairman of the District Development Council and the personal assistant to the collector (planning and development) is the secretary of this Council. In this state the government has decided to utilize the traditional authority and prestige of the collector for furthering development programmes. At the other extreme falls the Maharashtra model where, as in Madhya Pradesh and West Bengal, the collector has been kept outside the *zila parishad*. In Maharashtra all development activities along with the District Development Board have been transferred to the chief executive officer of the *zila parishad*. Thus all development activities and all officers connected with development work are now under the administrative control of the chief executive officer. The collector has nothing to do with the working of the *zila parishad* and is not even a member of it. In the third category come states like Assam, Gujarat, Punjab and Rajasthan. In these states the collector is a member of the *zila parishad* but without the right to vote. Legislation in these states postulates that the collector should be associated with the *zila parishad* in an advisory capacity and does not envisage any active involvement of the collector with the decision-making process. However, in Rajasthan, the collector has not been completely dissociated with development work. The Rajasthan Panchayat Samitis and Zila Parishad Act has designated the collector as the district development officer and the order of August

1961 has made him responsible for overseeing the development programmes of the district. The same order has designated all the officers of the various development departments posted at the district level as development officers and placed them under the administrative control of the collector. In this capacity his main functions are : (i) to co-ordinate the work of various development departments ; (ii) to examine that the amounts placed at the disposal of a *panchayat samiti* are being properly utilized, the minimum standard of services maintained in institutions run by *panchayat samitis* and that the *vikas adhikari* and his team are fully playing their role as extension staff ; (iii) to make a report to the *zila parishad* on the working of development departments ; and (iv) to watch and report to the state government as to whether priorities fixed in the plans are being adhered to and the general pattern of work is in conformity with the policies laid down by the state/central government.

**Supervision, Control and Assistance :** One important point that distinguishes the rural from urban local government is the importance attached and the attention given to rural local bodies after independence, while comparatively inadequate attention has been paid to the governance of urban local bodies. Almost all political parties have increasingly laid greater emphasis on rural development as compared to urban development. The present ruling Janata party has openly declared its policy of concentrating on rural development. Moreover, the Gandhian ideal *gram swaraj* has always had an appeal to the masses as well as the leaders. In this respect as well the Janata governments are committed to the establishment of *gram swaraj*. The economic and social compulsions of the Indian situation also point in the same direction. No wonder, then, if significant steps have been taken to raise the status of local bodies in the rural sphere since 1947. Thus, the *Janapada* Scheme embodied in the Central Provinces and Berar Local Government Act of 1948 was an innovation of the first order and may well be called the precursor of the *panchayati raj*. The Scheme aimed at converting the state into a "republic of *Janapadas*". The new Constitution of 1950 also includes Article 40 which calls upon the states to "take steps to organise village panchayats and to endow them with such powers and authority as may be necessary to enable them to function as units of self-government." Gandhian influence is obvious behind this provision. This Article was given concrete shape by the report of the Study Team for Community Development and National Extension Service (popularly known as the Balwant Ray Mehta Study Team Report) recommending a three-tier system of rural local self-government, thus, ushering in *panchayati raj* all over the country.

It should also be borne in mind that both the state and union

governments have been more generous in giving financial and technical assistance to the *panchayati raj* institutions than in the case of urban local bodies. For example, we find that in Maharashtra, where *zila parishads* have been entrusted with executive responsibilities, lot of money is given to them by the state government in the form of grants—land revenue grant, equalization grant, purposive grant, establishment grant, deficit adjustment grant, plan grant, block grant, etc., in addition to the loans given to them. The union government too gives lots of grants for the purposes of community development and other planned projects. In the field of technical assistance, one of the novel features thrown up by the establishment of the *panchayati raj* institutions in rural areas is the new field relationship between the staff of various technical departments and the *panchayat samitis* and *zila parishads*. Under this system, the senior field officers of various technical departments, namely, agriculture, animal husbandry, public works, engineering, health, education etc., have become advisors to the various local bodies in their respective fields.

Another novel feature of the *panchayati raj* set-up is the organic relationship between the three tiers, thereby giving the higher tier the responsibility for the proper working of the next lower tier. In other words, the *panchayat samiti* can inspect the working of *panchayats* within its jurisdiction and the *zila parishad* of the *panchayat samitis* under it.

The *panchayati raj* institutions, being the creation of the state government, are naturally subject to its control and supervision. The forms of control are the usual ones and are common with those obtaining in the case of urban local bodies. These forms are : inspection, audit, grants-in-aid, suspension of members, dissolution and supersession of elected bodies. There is also found a little unusual provision of surcharge to be paid by the members by way of penalty for loss or waste of funds. In the words of the Punjab Panchayat Samitis and Zila Parishads Act of 1961, "every person shall be liable for the loss, waste or mis-application of any money or other property belonging to a Panchayat Samiti or Zila Parishad if such loss, waste and mis-application is a direct consequence of his neglect or mis-conduct while a member.....and any such person may be surcharged with the amount or such money or the value of such property by the Deputy Commissioner."<sup>48</sup> Similar provisions exist in the case of the legislations of other states.

"State Governments have retained control over local bodies. They lay-down the general policy regarding Local Self-Government for it is the State Acts which constitute local bodies, define their functions and

powers, provide them sources of finance, authorise them to employ staff, and generally frame rules regarding the conduct of business." Outside control is exercised either by government or its officers, usually the directors of local authorities or divisional commissioners and district magistrates. This control is of two types : one is the general control of a drastic nature; the other is of routine type. If a Board or Committee persists in making defaults in the performance of its duties or abuses its powers, the state government has power to dissolve the Board or the Committee, to supersede it for a prescribed period and reconstitute a Board or a Committee or appoint an administrator. Apart from the Board or the Committee, if any member abuses his position or contravenes any rules made by government governing the conduct of such member (*e.g.*, no member of a Board or Committee will have any interest in a contract given by such Board or Committee), government may remove such member from the Board or Committee. The government has also powers to remove the President of a Board or Committee for various reasons including persistent failure on behalf of the President in the performance of his duties. The government or the 'prescribed authority' or the divisional commissioner or the district magistrate may suspend a resolution of the Board or Committee and its execution if in the opinion of such officer or authority such a resolution is not in public interest. This is the power of veto. There is also the power of certificate *i.e.*, state government, 'prescribed authority' divisional commissioner or district magistrate may perform a duty of the Board or Committee if the latter fails to do it and may charge the cost of the work to the fund of the Board or Committee. Apart from this in case of emergencies, divisional commissioners and district magistrates may execute any work which a Board or Committee is empowered to do, but which should be done immediately. The expenses will be charged to the fund of the Board or Committee. Other general powers are those of inspection and supervision, calling for documents and taking them into custody, entering into local bodies, and inspecting their work.

**Urban Government :** Strange though it may seem, ancient India which was famous for its 'village republics', was also a land of big and well administered cities and towns. The excavations of Harappa and Mohanjodaro have brought out the remains of well-run cities. Kautilaya, in his treatise on public administration, *Arthashastra*, has given a graphic description of the city of Pataliputra, the capital of the great Mauryas, and its administration. Megasthenes, the Greek ambassador to the court of Chandragupta Maurya, has also left a description of the city of Pataliputra. The cities continued to flourish under the Muslim rule and reached the peak of their glory under the Mughals

whose emperor Shah Jahan built a planned city called Shahjahanabad (modern old Delhi) which attracted tourists from all over the civilized world. The Britishers also developed cities like Bombay, Calcutta and Madras. This trend towards growing urbanization has continued unabated since 1947. "The latter half of the twentieth century has witnessed a marked shift of population from rural to urban areas. In 1951, one out of every seven Indians lived in urban areas. This proportion had gone up to one out of every five Indians by the 1971 Census. One-fifth of India's population—nearly 109 millions—lives in urban areas according to the latest census figures, precise percentage of urban dwellers being 19.87. This compares with 17.89 per cent in 1961. In brief, from 10.85 per cent in 1901, the urban population at present is nearly 20 per cent. At this rate, by 1981, one Indian out of every four may be expected to live in towns. The urban population of India has recorded a decennial growth rate of 37.83 per cent during 1961-71 as against the general growth rate of 24.63 per cent of total population and 21.78 per cent of the rural population. The trend towards the growing urbanisation in the country is thus unmistakable, and the total number of places recognised as urban in 1971 is 2,921 as against 2,700 in 1961. This accelerated growth of rate in urban population is the natural consequence of modernisation and industrialisation to which we are committed. Search for security of life and property, greater employment opportunities, better amenities of life and just glamour are the main factors responsible for this exodus from rural to urban areas."<sup>49</sup> This growing urbanisation has affected not only economic structure of the country but also its social and cultural profiles.

We have described earlier in this section the system of rural government. We will now outline the system of urban government, which is the other portion of the system of local government in India. The municipal or city administration comprehends within its fold urban local bodies of various types and sizes. "These units stand on their own, without any link between one local body and another."<sup>50</sup> The urban local bodies in India may be classified as follows :

TABLE VIII

Description	Number	Year
Municipal Corporations . . . . .	34	May 1975
Municipal Councils . . . . .	1493	1971
Notified Area Committees . . . . .	302	1971
Town Area Committees . . . . .	385	1971
Cantonment Boards . . . . .	62	January 1975

49. Avasthi, A., *Municipal Administration in India*, Agra, 1972, p. 519.

50. *Report of the Rural-Urban Relationship Committee*, Vol., I, New Delhi, 1966, p. 54.



It is noteworthy that there is no uniformity in the types of local bodies found in different states. While municipal councils exist in all states, there is variation about other types. Thus, while Rajasthan has only one type of urban local body, viz., the municipal council, Uttar Pradesh has all types mentioned above. Of course, cantonment boards exist in all military areas throughout the country. It should be noted that the term corporation, municipality, town area and notified area are mere territorial concepts. It is the council which as a body enjoys the corporate status and acts in that capacity.

We will now give a brief description of each one of these types :

**Municipal Corporations :** In 1947, there were only three corporations in the metropolitan cities of Bombay, Calcutta and Madras. By 1975 the number had risen to 34. "Some States such as Assam, Jammu and Kashmir, Orissa, Punjab and Rajasthan have no Corporations. Among the Union Territories, Delhi alone has a Corporation."<sup>51</sup> There is a great variation in the area, population, status and the political, commercial and industrial importance of corporations. However, they have, more or less, a common administrative set-up. It is interesting to note that the demand for converting municipal councils into corporations has been on the increase in recent years as this institution "carries a larger degree of prestige, pride, power and autonomy". A corporation is established in the Union Territory by an Act of Parliament, and in the territory of a state by an Act of the state legislature. In some cases an Act is passed for each corporation such as in Delhi or there may be one common Act for a number of corporations. For example, an omnibus Act passed in 1956 covers all the corporations of Madhya Pradesh.

The corporations are headed by elected Mayors. The administration of the city vests in an elected council and the powers of the corporation are exercised by three authorities : General Council, Standing Committees and the Municipal Commissioner/Chief Executive Officer. The councillors are elected directly by the people usually for a term of four years. The councillors elect a certain number of aldermen, who enjoy the same powers and functions as the councillors but have a longer term and enjoy a little more dignity. The council including councillors and aldermen elect each year a president and a vice-president known as the Mayor and the Deputy Mayor. The Mayor is primarily an ornamental figure and a mere formal head of the corporation. His only active function is to preside over the meetings of the Council. The Council is the deliberative organ of the corporation. It makes bye-laws, passes the budget, appoints committees and most of

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51. *Ibid.*, p.56.

the officers and exercises a general supervision over the working of the corporation. The Standing Committees are elected by the Council and carry out most of the work of administration including taxation, finance and preparation of budget, engineering works, health and education services. The executive powers of the corporation are vested in the municipal commissioner who is appointed by the state government and is usually a senior member of the Indian Administrative Service. This officer stands at the head of the administrative organisation, prescribes the duties of various officers and supervises their work. The power of sanctioning estimates and contracts vests in the three authorities upto specified amounts. The functions of the municipal corporation include public safety, health, education and other conveniences of the citizens as well as construction and maintenance of water works and sewerage, streets and bridges, parks and recreation grounds, markets and shopping centres and so on. To perform their multifarious functions, corporations have been vested with authority to raise taxes. There are certain taxes which the corporation must impose, for example, the Delhi Corporation must levy property tax, a tax on vehicles and animals, a tax on advertisements with some limitations, a duty on the transfer of property and a tax on buildings. In addition, it may levy an education cess, a tax on professions, trades, callings and employments, a betterment tax on the increase in urban land values, a tax on boats, tolls, a local rate on land revenues and a tax on the sale and consumption of electricity. The other major source of revenue is the various types of grants given by the government concerned. Another source of income for the corporation is profits earned by municipal enterprises, such as, the Delhi Electricity Supply Undertaking, the Delhi Transport Undertaking and the Delhi Water Supply and Sewerage Undertaking. Then there are miscellaneous items of revenue like rents, income from property, fines, donations, etc.

**Municipal Councils :** All other towns and cities have municipalities established under the Acts of state legislature and in the case of union territories by the Parliament. Two points deserve notice in this connection. First, municipal councils are known by different names in different parts of the country, e.g., city municipality, municipal committee, municipal board, borough municipality, municipality, etc. Secondly, there is a general similarity in the organization of these bodies all over the country. A municipal council differs from a municipal corporation not only in having a smaller area under its jurisdiction and fewer functions and financial powers but also in an important organizational matter. Unlike the corporation, the separation of the deliberative or legislative and executive or implementing wings has not been fully

carried out in the case of municipal councils. In many cases the legislative wing takes decisions on administrative matters as well.

As in the case of the corporation, municipalities too have three authorities : the Council and its Committees, Chairman/President and the Chief Executive Officer/Chief Municipal Officer. The Council consists of members specified in the Act or bye-laws made under the Act. This number differs from one municipality to the other depending upon its area and population. In the case of Madhya Pradesh municipalities have been grouped into classes A, B and C; and in Andhra Pradesh into five categories on the basis of income. The same is true of Rajasthan where there exist six categories. The members of the Council are elected by the voters directly on the basis of adult franchise. The tenure of these Councils differs from state to state ranging between three to five years. The Council decides all questions of policy and important details of administration. The powers of passing the budget, imposing taxes, voting expenditure and making rules and regulations vest in this body. The Municipal Council, however, mostly functions through committees which exercise delegated powers or make recommendations to the Council. The head of the municipality, known as the President/Chairman, is elected by the Council. In Maharashtra, however, a system of direct election of Presidents by the people was introduced in 1974. A similar system was tried in Madhya Pradesh and Uttar Pradesh for sometime and then given up. The Chairman/President enjoys a tenure coterminous with that of the Council except in Karnataka where his term is only two years. He has the usual powers and discharges the usual functions of a presiding officer. But in many states he is also vested with executive powers, like making of appointments to certain categories of posts, executing contracts and exercising supervision and control. The day-to-day work of the municipality is carried on by an executive officer, drawn sometimes from state civil service or a state-wide cadre of municipal officers. In many states, however, the municipal councils continue to appoint their own executive officers and other officials. A municipality performs two types of functions, compulsory or obligatory and discretionary or optional. The Council has to undertake and make reasonable provision for matters coming under obligatory duties. Matters included in this list are the usual civil functions which can be grouped under the four heads of public safety, public convenience, public health and public instruction. The Madhya Pradesh Municipalities Act of 1961 includes 22 items under this category. Discretionary functions are those which municipalities may undertake at their option. The Madhya Pradesh Act includes 35 items in this list like provision of parks, gardens, libraries, museums, hospitals, dispensaries, secondary

and higher education, reclaiming unhealthy localities, setting up of dairies, undertaking municipal enterprises, establishing and running lodging houses, restaurants, canteens, constructing houses, etc. In addition, the state government may require its help and assistance in certain matters in times of distress or crisis. The Council also manages its property and institutions. Each municipal council has a municipal fund placed to its credit. This fund is constituted of the income derived from various sources. The first and major source of revenue is the income from taxes levied by it like house tax, tax on professions, trades, animals and vehicles, pilgrim tax, terminal tax, octroi on goods and animals brought within the municipality for use, sale or consumption, rates like water rate and lighting rate, tolls on roads and ferries and fees from cattle registration, markets and for carrying certain trades. Of all these taxes, property tax and octroi constitute the most important sources of income. Another important source of income is grant-in-aid by the state government. Such grants may be in the nature of block grants or specific grants. Municipal bodies are also authorized to borrow money. They can also run their own enterprises.

**Notified Area Committees :** If, in the opinion of the state government, improved arrangements are required within a specified local area which it is not expedient to constitute as a municipality, it may, by notification, declare such local area to be a "notified area". Since it is created by a notification, it is called notified area. Such areas may also be created for newly developing towns or areas where industries have been or are being established. The state government also constitutes a committee called Notified Area Committee to administer such area. The committee exercises all the powers of the municipal council but its members are not elected but nominated by the government along with its chairman. The government has power to vest the committee with powers exercisable under any other Act. Such committees exist in nine states—Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Madhya Pradesh, Punjab and Uttar Pradesh.

**Town Area Committee :** It is a semi-municipal authority which is constituted for small towns. Such committees are governed by separate Act of the state legislature. The members of the committee are partly elected and partly nominated ; they can also be wholly elected or wholly nominated. The ambit of their activity is limited to few subjects like conservancy, street lighting, drainage and roads. Such committees exist in seven states : Assam, Himachal Pradesh, Jammu and Kashmir, Kerala, Madhya Pradesh, Uttar Pradesh and West Bengal. Some state governments are converting town area committees into institutions more akin to rural bodies. The state of Gujarat has substituted *nagar panchayats* for town area committees and town *panchayats* have been

created in the states of Tamil Nadu and Karnataka. The states of Andhra Pradesh and Madhya Pradesh have lately merged many small town committees into the *panchayati raj*.<sup>52</sup> The Rural-Urban Relationship Committee (1966) recommended that other state governments should follow this practice to avoid multiplicity in the pattern of local units.

**Cantonment Boards :** Urban areas where troops are stationed are known as cantonments. Cantonment boards have been set up in such areas to provide civic amenities and welfare services to the people living there. These are autonomous bodies subject to supervision and control by the General Officer Commanding in-charge of the Command and the central government (Ministry of Defence). The number of elected and nominated members is kept equal in these boards varying from 1 to 7 although according to statutory provisions the number of nominated members may exceed the elected members by one. These boards have the power of taxation which is their main source of revenue. The budget estimates prepared by the boards are scrutinized and sanctioned by the General Officer Commanding in-charge of the Command. The tenure of these boards is three years. The executive officer is the executive head of the board. He is appointed by the central government and belongs to the central cadre set-up for the purpose.

**Special Agencies or Functional Local Bodies :** Municipal administration, like all public administration, may be based on 'area' or 'function'. Municipal bodies described above are area based, that is, these bodies are multi-purpose agencies within the prescribed area performing varied functions within the law. In addition there exist agencies within the same area performing certain special functions. These are known as "single purpose" or "special purpose" agencies. Such agencies are found all over the world, particularly in the United States of America. As the name indicates, a special agency is organized for the provision of a 'special' function. Hence, a special agency is usually a unifunctional unit, providing only one service to the people residing within its boundaries. "Occasionally, two or three related functions are provided. . . . Great variety in organizational patterns characterize these governmental units".<sup>53</sup>

In India, it was more than a hundred years ago that Sanitary Commissions were set up in Bengal, Bombay and Madras in 1864 charged with the responsibility of town improvement. These Commissions were later converted into Improvement Trusts and more recently in many

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52. *Ibid.*, p. 55.

53. Maddock, R.W. and Fuquay, R.F., *State and Local Government*, New York, 1965, pp. 449-50.

large cities they have been converted into Development Boards/Authorities. Such special functional bodies are usually set up for specific purposes like water supply, sewage, town improvement, housing, education, etc. One or two features of such agencies are noteworthy. First, the jurisdiction of these agencies need not always be coterminous with the prescribed area of the municipal unit. It can well spread over a larger area covering more than one municipality. For example, Delhi had a joint Water Sewerage Board (set up in 1920 and continued till 1958) which had jurisdiction over the Delhi Municipal Committee, the New Delhi Municipal Committee and the Delhi Notified Area Committee. In the second place, such agencies are not created by the municipal bodies but by the state government by legislation. Thus they are equal in status to the municipal body.

**Supervision, Control and Assistance :** State control over local bodies is necessary and exercised in every country in varying degree due to the following factors :

- (i) Local authorities are legal creations of the state.
- (ii) They govern only a tiny part of the state and in the interest of the uniform development of all the areas, co-ordination by the state government becomes essential.
- (iii) The local authorities cannot command so much technical skill as the state or union government and have only limited experience. The government, on the other hand, has in its employment a permanent body of professional experts who can bring to the notice of the local authorities improved methods of doing things successfully tried elsewhere.
- (iv) Financial assistance, in whatever form it may be, implies control. Local bodies of all kinds depend a lot on the grants of the government which obviously must have power to ensure that the money so granted is properly and usefully utilized.

Thus, the object of state supervision and control is to increase the efficiency of local government units. While supervision and control must secure the proper performance of the duties entrusted to local authorities, it must at the same time concern itself with educational and technical support and training services to their staff. In other words, it should not acquire a negative content so as to restrict the initiative, discretion or assumption of responsibility on the part of local bodies but should be given a positive content helping the local authorities to avoid pitfalls and mistakes, strengthening their self-confidence and enabling them to assume growing responsibilities. We shall now proceed to discuss in brief the position as it obtains in India at the state and the union levels under two heads : nature and content of supervision and

control ; and organisation for such supervision and control.

**Control by State Government—Nature and Extent :** State control as exercised over local bodies in India in the widest sense assumes three forms : legislative, judicial and administrative. The state legislature controls them by making, amending and repealing the laws concerning them. The judiciary controls them by interpreting laws and judging their validity. Both types of control come into play only occasionally, the former when a local authority is to be created or powers granted to it and the latter when a local authority commits an *ultra vires* act. It is the administrative control which is exercised at every step. The nature of administrative supervision and control exercised by the state departments connected with local government affairs in various states includes steps which are indirect and less rigorous, such as, advice and information, giving directions, obtaining periodical reports and returns, review of local action, conditional grants-in-aid and also direct steps which are more binding in effect. These include prior approval of any local action taken, inspection, suspension and annulment of decisions, removal of chairmen and councillors, supersession and dissolution of councils and taking over administration in case of default. The more extreme forms of control should, however, be exercised rarely, for their long-term effect can be damaging to public confidence in local authorities which is essential to their success. Unfortunately, in our country the state governments have resorted to these direct forms quite frequently. For example, out of six municipal corporations and 182 municipal councils in Madhya Pradesh, all the six corporations and 64 municipal councils were under the direct administration of the state government as on January 31, 1977, and the picture is not different in other states. Such drastic action on the part of the state government was aptly described by the Indian Statutory Commission (1930) in these words : "Where spur and rein is needed the Government has been given the use of a pole-axe".

**Organisation for Supervision and Control :** State supervision and control can be organised in either of the two ways—centralized or decentralized, in other words, the use of a single state agency over local affairs or the use of functional relationships. England, France and other European countries and Canada have followed the practice of centralizing control over urban local bodies in a single agency. A well-trained and effective inspectorate is the characteristic feature of control over local bodies in England, where there are inspectors of local bodies in the fields of education, highway, fire brigade and the like, establishing direct links between the local authorities and the departments of central government. On the contrary, the United States of America has followed the system of decentralized supervision and control. Techni-

cal assistance and advice rather than supervision and control are the ideas sought for in that country.

The state governments can play their role effectively only when they have proper machinery to promote, advise, guide and supervise local authorities with the right attitude. Since the control and promotion of local government requires detailed and expert work, the existence of such professionally staffed machinery cannot be over emphasised. The state government's instrument of control is primarily the collector and then the divisional commissioner. But there obtains functional control as well. For example, the inspectors of the Education Department inspect the municipal schools as well and the examiner of local funds audits municipal accounts. Above all, the state government itself exercises certain important powers, namely, dissolution and supersession of municipal councils. It is pertinent to point out here that the principal duties of these officers lie in different direction, the supervision and guidance of local bodies being only a secondary job for them. In consequence, they do not evince sufficient interest in the problems affecting local bodies.

At the state level, there are separate administrative departments in the secretariat to deal with local government affairs (in some cases there are even separate departments of urban or municipal administration). However, in some states urban local government/municipal affairs form part of a large department or are combined with other departments under a common Secretary. These departments have overall control over local authorities, provide for financial support, inspection, control and audit and are generally responsible for efficient functioning of local government institutions. Unlike other administrative departments, however, the local-self-government departments have no field agencies in the majority of states with proper staff at various levels which can closely and properly guide and assist the local bodies in their problems. The state governments have taken positive steps to build up proper relationship in case of rural local bodies, where government officials are continuously associated with the different levels of rural local bodies to advise and technically assist and supervise their work. It is a happy augury that of late steps have been taken to evolve a proper machinery in many states, and by 1971 Andhra Pradesh, Gujarat, Haryana (it was abolished later), Kerala, Maharashtra, Punjab and Rajasthan had set up Directorate of Municipal Administration. In some states like Bihar, Tamil Nadu and West Bengal there exists Inspectorate of Local Bodies. The Inspectorate in Tamil Nadu consists of inspectors at district headquarters. In West Bengal there are three inspectors of local bodies appointed by the state government to inspect the local bodies and investigate into specific matters referred to them



by the divisional commissioner. Along with the directorate functional relationship exists between various departments like education, health, housing, medical and public works and the local bodies. These departments render technical advice and services.

**Relationship between Central Government and Municipal Bodies :**

It is true that local government is a creation of the state government which, as a parent, enjoys a special relationship with the municipal bodies. It is equally a fact that, constitutionally speaking, the central government has no relationships with cities and towns *per se*. However the needs of development have led the national government to forge links between its own administrative apparatus and that of the municipalities. Unlike the state government, the central government does not exercise supervision and control over municipal bodies. Instead, its role is one of standard-setting, co-ordination of local government programmes and policies, assistance for major and important financial and technical projects, conducting research into different problems on national basis, inspiring, invigorating, guiding, assisting and strengthening municipal administration to perform the various local functions as effectively as possible. The central assistance has taken the following forms :

- (i) **Financial Assistance** : In this respect the aid from the central government has been growing from year to year. The financial pattern, however, varies from scheme to scheme. While for certain schemes the central aid takes the form of 100 per cent subsidy, for others it comes as matching assistance, that is 50 per cent from central government and 50 per cent from the state government. In some other schemes the central government also advances a percentage of expenditure as loan in addition to a fixed proportion as subsidy. Schemes for which the centre has given financial assistance include urban water supply and drainage, slum clearance and slum improvement, housing for low-income groups, preparation of city development plans and master plans, urban community development, training and research institutes, municipal trading, improvement of roads, etc.
- (ii) **Technical Assistance** : The Ministry of Health has organised several studies, through high-powered expert committees, in various matters, notably, water supply and sanitation, urban land policy, training of municipal personnel, augmenting the financial resources of urban local bodies, problems of hill towns, town planning, etc.
- (iii) **Training and Research** : The Ministry of Health and

**Family Planning and Urban Development set up in 1968** a training institution at the national level known as the Centre for Training and Research in Municipal Administration at New Delhi under the auspices of the Indian Institute of Public Administration. In addition the Ministry has also set up regional institutes at Bombay, Calcutta, Hyderabad and Lucknow. These institutes including the national centre provide for the training of municipal personnel, orientation programmes for municipal councillors and research in urban problems. In some cases they also perform a sort of consultancy function for municipal bodies.

At the union level, the subject of local self government is dealt with mainly by three ministries. The Ministry of Health is responsible for the administration of urban bodies. The Department of Community Development in the Agriculture Ministry looks after the rural local bodies. The Cantonment boards are controlled by the Ministry of Defence. In addition, the Ministry of Home Affairs comes into the picture as far as union territories are concerned. In course of time certain agencies and organisations have come to be established to deal with problems of urban government as follows :

**1. The Central Council of Local Self-Government :** This Council was established under Article 263 of the Constitution by an order of the President in September 1954. The Council is an advisory body and its principal duties are

- (i) to consider and recommend broad lines of activity relating to local self-government in all its aspects ;
- (ii) to make proposals for legislation in fields of activity relating to local self-government matters ;
- (iii) to examine the whole field of possible co-operation on a wide basis in regard to local self-government matters and to draw up a common programme of action ;
- (iv) to make recommendations to the central government regarding the allocation of available financial assistance to local bodies and to review periodically the work accomplished in different areas with central assistance.

**2. Town and Country Planning Organisation :** It has been set up as a subordinate unit of the Ministry of Health at New Delhi. It makes available technical assistance and guidance to the state governments on various aspects of the country and town planning, such as, legislation, regional planning, preparation of master plans, etc. This organisation is also responsible for preparation of master plans for union territories.

**3. Conference of State Ministers for Town Planning :** With rapid urbanization, the question of town and country planning has assumed importance. As the subject has direct bearing on the administration and jurisdiction of local bodies, this conference is held jointly with the meeting of the Central Council of Local Self-Government.

**4. Conference of Municipal Commissioners :** In order to help in developing uniform policy and pattern, the Ministry of Health considered it advantageous to call a separate conference in which all mayors and municipal commissioners are represented. The first conference was held in 1959 and is since being held every year.

**5. Conference of States Ministers for Local Self-Government :** The first such conference was convened by the Health Ministry in August 1948. The object was to provide a forum where those responsible for this important area of administration all over India could meet together periodically to exchange ideas and discuss problems of common concern. The conference has since then been meeting every year.

## VII. UNION TERRITORIES

Article 366 (30) of the Constitution defines a union territory as "any Union territory specified in the First Schedule and includes any other territory comprised within the territory of India but not specified in that Schedule." The present nine union territories have varied sources of origin. Thus, Delhi and Andaman and Nicobar Islands were included in the list of what were called, before 1950, Chief Commissioners' Provinces (Ajmer-Merwara, Andaman and Nicobar Islands, Coorg, Delhi and Panth Piploda). Under the new Constitution, these provinces were included in categories C (Ajmer, Coorg and Delhi) and D (Andaman and Nicobar Islands). The Constitution (Seventh Amendment) Act, 1956 abolished the four-fold classification of states into A, B, C and D and instead divided all the units constituting the union of India into two categories—states and union territories. Andaman and Nicobar Islands and Delhi were included in the new category of union territories forthwith. The Laccadive, Minicoy and Amindivi Islands, which previously had formed parts of the Madras state, were renamed Lakshadweep and made union territory the same year. Pondicherry (including Karikal and Mahe) was acquired as a result of negotiations with the French government and Goa (including Daman and Diu) was acquired in 1962. Dadra and Nagar Haveli were absorbed in the adjoining state of Gujarat earlier in 1961. Chandigarh was taken out of Punjab and converted, under the Punjab

Reorganization Act, 1966, into a union territory to resolve the conflicting claims of the neighbouring states of Haryana and Punjab to its possession. In 1972 Arunachal Pradesh and Mizoram were carved out of the state of Assam and given a separate political status as union territories to satisfy the aspirations of their inhabitants for a separate homeland. The following Table gives the area and population of the 9 union territories as on 1971 :

Union Territories	Area (Sq. km.)	Population (in 1971)
1. Andaman and Nicobar Islands . . . . .	8,293	1,15,133
2. Arunachal Pradesh . . . . .	83,578	4,67,511
3. Chandigarh . . . . .	114	2,57,251
4. Dadra and Nagar Haveli . . . . .	491	74,170
5. Delhi . . . . .	1,485	40,65,698
6. Goa, Daman and Diu . . . . .	3,813	8,57,771
7. Lakshadweep . . . . .	32	31,810
8. Mizoram . . . . .	21,087	3,32,390
9. Pondicherry . . . . .	480	4,71,707

**Form of Government :** The union territories do not have the same constitutional status as the states in the Indian union. For various reasons—historical, political, strategic, etc.—these territories cannot be joined to adjoining states and are centrally administered. It is relevant to point out here that centrally administered areas are not peculiar to our country. Countries with a federal form of government, like Australia and the United States of America, have some federally administered areas. The constitutional position is that the union government is the real repository of authority and is responsible for the administration of these territories. According to Article 239, "Save as otherwise provided by Parliament by law, every Union territory shall be administered by the President acting, to such an extent as he thinks fit, through an administrator to be appointed by him with such designation as he may specify". Such designation varies from territory to territory. Thus, Andaman and Nicobar Islands and Chandigarh have Chief Commissioners; Arunachal Pradesh, Delhi, Goa, Mizoram and Pondicherry have Lieutenant Governors; and Dadra and Nagar Haveli and Lakshadweep have Administrators. Secondly, the power of Parliament to legislate for such territories is not limited to matters in the union and concurrent lists; it may legislate on any subject under Article 264(4). In the third place, the Article 240(4) of Constitution empowers the President to make regulations for the peace, progress and good government of such union territories as do not have a legislature, that is to say, Andaman and Nicobar Islands, Chandigarh, Delhi, Lakshadweep and Dadra and Nagar Haveli. These regulations have the same force and effect as an Act of Parlia-

ment.

Three different patterns of government in these territories can be discerned : (i) rule by the President through an Administrator/Chief Commissioner ; (ii) representative government through a legislative assembly and Council of Ministers ; and the Delhi pattern. We will now briefly describe the first two patterns and explain the Delhi pattern a little more in detail.

**Administrator/Chief Commissioner Pattern :** In this pattern the President exercises executive authority through an Administrator/Chief Commissioner and legislates by regulations. There is no provision for a legislative assembly and a council of ministers. However, to associate public opinion with their administration, provision has been made for the establishment of two types of Advisory Committees. There are Advisory Committees associated with the Home Minister in respect of union territories in this category. The committees are consulted in regard to general questions of policy, legislative proposals, budgeting matters, development plans and other matters of importance. There is also a similar committee in each of these territories associated with its Administrator and its functions are, more or less, the same as the Home Minister's Advisory Committee, except that in Chandigarh, the Capital Projects Committee serves this purpose. In this group of territories Chandigarh occupies a distinctive position. It is perhaps the only city in India which is the capital headquarters of two states, Haryana and Punjab, as also the headquarters of the union territory itself. There is an Advisory Committee to help the Chief Commissioner in administering the territory. It consists of five members—the Chief Commissioner, the vice-chancellor of Punjab University, the member of Parliament representing Chandigarh and two non-officials nominated by the Home Ministry. The Home Minister of the union government presides over this committee. This committee in a way performs the functions of a legislative body. It meets at least once in six months. All legislative proposals concerning Chandigarh and the annual budget of the territory are put before the committee for its observations and comments. It also gives its opinion on all matters of policy concerning the union territory.

**Legislature-cum-Cabinet Pattern :** This pattern of administration applies to four out of nine union territories, namely, Arunachal Pradesh, Goa, Mizoram and Pondicherry. It is based on the provisions of the Government of Union Territories Act, 1963. It provides for a diluted sort of responsible government. Through the creation of legislatures and councils of ministers, this Act seeks to devolve a considerable measure of political and administrative responsibility upon these territories. This does not, however, detract from the

overall constitutional responsibilities of the President and Parliament. In the executive sphere the will of the President or the central government prevails ; in the legislative field the Acts of Parliament prevail over repugnant clauses in the union territory legislation. In brief, there are two "foci of power"—one resting with the central government and the other with the union territory government. In other words, there is a sort of diarchical structure provided for these territories. "There are two sets of rules which impinge on the relations of the Central Government with the Territorial Administration. The first set of rules prescribes the types of cases which shall be submitted by the Administrator to the Central Government before initiating action or issue of orders. The second set of rules prescribes the types of cases which must be submitted by Ministers to the Administrator through the Chief Minister. Through the first set of rules, the Central Government can exercise control over a fairly extensive field of administration. The same result is achieved through the second set of rules, as the Administrator, an agent of the Central Government, has powers to differ with his Council of Ministers and refer the disputed matter to the Centre for decision."<sup>54</sup>

We will now briefly describe the governmental set-up in these territories under two heads : the Legislative Assembly and the Executive.

**The Legislative Assembly :** Article 239A of the Constitution authorizes the Parliament to "create for any of the Union territories (a) a body, whether elected or partly nominated and partly elected, to function as a Legislature for the Union territory, or (b) a Council of Ministers or both with such constitution, powers and functions, in each case, as may be specified in the law." It was under this provision that the Parliament enacted the Government of the Union Territories Act in 1963 which established in some union territories legislatures and council of ministers with powers and functions, more or less, akin to their counterparts in the states. Thus, there is a Legislative Assembly for each union territory in this group. The Act fixes the number of members at 30. These members are elected, as in other states, directly by the people. In addition, the central government may nominate to the assembly not more than three persons who should not be government servants. Each assembly elects a Speaker and a Deputy Speaker. The term of the assembly is five years. The assembly can make laws on all matters enumerated in the state list or concurrent list. Every bill passed by the legislature has to receive the assent of the President before it can become law.

**Executive :** The administration in each territory is headed by a

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54. *Report of the Study Team on Administration of Union Territories and NEFA (Administrative Reforms Commission)*, Vol. I, 1968, New Delhi, p.26.

Lieutenant Governor (appointed by the President) aided and advised by a Council of Ministers with a Chief Minister at its head, the number differing from one territory to the other. For instance, in 1975, Arunachal Pradesh had a Chief Minister and four other Ministers ; Goa had a Chief Minister and two other Ministers ; Mizoram had a Chief Minister, four Ministers of cabinet rank and two Deputy Ministers ; and Pondicherry was under presidential rule. The Chief Minister is appointed by the President, and not by the Lieutenant Governor, and other Ministers are appointed by the President on the advice of the Chief Minister. The Ministers hold office during the pleasure of the President. The Council of Ministers, as in other states, is collectively responsible to the legislative assembly. The President makes rules for the allocation of business to the Ministers and for more convenient transaction of business. The important point to note is that although a Council of Ministers has been created, its status is different from that of its counterparts in the states. Its advice is not binding on the Administrator (Lieutenant Governor) who, in cases of difference of opinion with his Ministers, can refer the disputed matter to the President for decision. Pending a decision, in urgent matters, he can give directions or enforce such action as he considers necessary. In addition, the central government, if they so desire, can intervene in the working of Council of Ministers through its agent, the Lieutenant Governor. Thus, it is clear that the pattern of parliamentary government in the union territories differs considerably and substantially from that obtaining in the states. The Ministers in union territories are under dual control. The Administrator is not a constitutional and formal head like the Governor in a state ; he is a real head with power to over-ride the decisions of the Ministers. Secondly, Ministers are under the control of the central government, that is, these territories do not enjoy the autonomy of a federating state. It should never be forgotten that these territories are the direct responsibility of the central government to govern and they have introduced a measure of parliamentary government to associate the people with government.

**Union Territory of Delhi :** At the time of independence Delhi was a Chief Commissioner's province. On the January 26, 1950, it became a Part C state. After the passing of the Government of Part C States Act in 1951, Delhi, like the other principal states in that category, was administered by a regularly constituted ministry responsible to the elected state legislature comprising 48 members. The executive head of the state was the Chief Commissioner appointed by the central government, who was aided and advised by a Council of Ministers with a Chief Minister at its head. However, it was far from being a responsible parliamentary government as in Part A & B states. It could be best

described as a form of dyarchy representing an attempt to reconcile central control over the national capital with autonomy at the state level. The ambit of powers delegated to Part C states was narrow and restricted. In the case of Delhi it was subjected to some additional special limitations. The subjects specifically excluded from the purview of the state legislature included law and order, local self-governmental institutions, the Delhi Improvement Trust and other statutory boards regulating certain public utility services in Delhi and New Delhi. These statutory boards were the Delhi Joint Water and Sewage Board, the Delhi Road Transport Authority and the Delhi State Electricity Board.

The States Reorganisation Commission (1953-55) recommended that Delhi "cannot be made part of a full fledged constituent unit of the Indian Union."<sup>55</sup> Therefore, under the States Reorganisation Act of 1956, Delhi ceased to be a separate state with its own legislature and Council of Ministers and became a union territory administered by the central government through an Administrator. As a follow-up of another recommendation of the States Reorganisation Commission, the Municipal Corporation of Delhi was established on April 7, 1958 with jurisdiction over the entire area of the union territory excluding the New Delhi Municipal Committee and the Delhi Cantonment. The three statutory bodies were converted into the undertakings of the Municipal Corporation and the Delhi Improvement Trust was replaced by the Delhi Development Authority set up on December 30, 1957. The next important change in the administrative set-up of Delhi took place in 1966, when the Parliament enacted the Delhi Administration Act of that year setting up a Metropolitan Council and raised the post of the Chief Commissioner to the status of a Lieutenant Governor. The year 1971 witnessed another change, when the Corporation was relieved of the responsibilities in respect of the Delhi Transport Undertaking which was replaced by the autonomous Delhi Transport Corporation. We will now briefly describe the existing set-up.

**Delhi Metropolitan Council :** The Council consists of 61 members of whom 56 are elected directly from territorial constituencies and 5 are nominated by the central government and are non-officials. The term of the Council is five years. The Council elects a Chairman and a Deputy Chairman from among its members. The members of the Council receive such salaries and allowances as are determined by the President. Although it resembles a legislature, it does not have any legislative powers. It is only entitled to discuss and make recom-

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55. *Report of the States Reorganisation Commission, 1955, New Delhi, para. 584.*



recommendations on following matters :

- (a) Proposals for undertaking legislation regarding matters enumerated in the state list or concurrent list in the Seventh Schedule of the Constitution in so far as such matter is applicable to union territories.
- (b) Proposal for extension to Delhi of any enactment in force in a state relating to any matter enumerated in the above lists.
- (c) Proposals for legislation referred to it by the Lieutenant Governor.
- (d) Estimated receipts and expenditure pertaining to Delhi to be credited to and made available from the Consolidated Fund of India.
- (e) Matters of administration involving general policy and schemes of development.
- (f) Any other matter referred to it by the Lieutenant Governor. The recommendations of the Metropolitan Council, after consideration by the Executive Council, are forwarded by the Chief Executive to the central Government along with the views expressed on them by the Executive Council.

**Lieutenant Governor :** Under the Delhi Administration Act, 1966, the executive authority of the union territory is exercised by the President of India through an Administrator appointed by him and designated as the Lieutenant Governor. He, like the Governor in other states, summons, prorogues and with, the approval of the President, dissolves the Metropolitan Council. He may attend and address any meeting of this Council. He is, however, by no means a formal and constitutional head. Subject to the authority of the President whose agent he is, he acts as the real head of the territory and enjoys certain discretionary authority. The Act of 1966 provides that in respect of law and order, including organisation and discipline of the police, services, land and buildings and all matters relating to the appointment of members and the President of the New Delhi Municipal Committee, their number and term of office, etc., the Administrator shall function in his discretion, that is, without consulting the Executive Council. By this provision the functions and responsibilities of the Administrator have been grouped in the two categories—'reserved' with respect to which he can function in his discretion and the 'transferred' with regard to which he normally functions with the aid and advice of the executive councillors.

**Executive Council :** There is an Executive Council consisting of not more than four members, one of whom is designed as the Chief Executive Councillor and the others as executive councillors, to aid

and advise the Lieutenant Governor in his functions. The members are appointed by the President and not by the Lieutenant Governor. The Council has the appearance of a Council of Ministers but is not responsible to the Metropolitan Council. As shown in the above paragraph, its jurisdiction is limited to the 'transferred' portion of the subjects. Even in this field, in case of difference of opinion between the Council and the Chief Executive, the matter is referred to the President for decision. Pending such decision, the Lieutenant Governor is empowered in urgent cases to issue necessary directives or take immediate action. In respect of New Delhi, it is laid down that any decision of the Executive Council is subject to the concurrence of the Administrator. In case of difference of opinion in this field, the Administrator can take a decision in his discretion.

**The Delhi Municipal Corporation :** Four erstwhile municipal committees of Delhi, South Delhi, West Delhi and Shahdara ; five notified area committees of civil lines, Red Fort, Mehrauli, Najafgarh and Narela and Delhi District Board were merged in the new Municipal Corporation of Delhi. About half of the area of the New Delhi Municipal Committee was also transferred to the jurisdiction of the new Corporation. Thus, the territorial jurisdiction of the Corporation coincides, with the exception of some areas, with that of the Delhi Administration but their fields of activity are different. The main organs of the Corporation are :

- (i) Corporation Council
- (ii) Statutory Committees
- (iii) Mayor
- (iv) Municipal Commissioner.

**Corporation Council :** It consists of 100 members elected directly by the people on the basis of adult franchise in single-member constituencies but 13 seats are reserved for the scheduled castes. In addition to the councillors, there are six aldermen who are elected by the councillors in accordance with the system of proportional representation by means of single transferable vote. The term of office of the councillors and aldermen is four years with provision for extension by one year. The functions of the Corporation comprise making rules and bye-laws, giving directions, making certain appointments, budgeting, exercising financial control, investigation of vigilance cases and discussion of civic issues.

**Mayor and Deputy Mayor :** The Mayor and the Deputy Mayor are elected at the first meeting of the Corporation every year from amongst its own members. The Mayor is a mere presiding officer with no executive authority vested in him. However, the office is one of dignity and prestige and the Mayor can exercise considerable

influence over administration. The Deputy Mayor, as his title itself suggests, deputises for the Mayor in his absence.

**Statutory Committees :** The Corporation performs its various functions with the help of statutory and ad-hoc committees. In addition, the entire area of the Corporation has been divided into eight zones where most of the work is carried on with the help of zonal committees. There are at present five statutory committees : Standing Committee, the Delhi Electricity Supply Committee, the Delhi Water Supply and Sewage Disposal Committee, the Rural Area Committee, and the Education Committee. Of these the Standing Committee is the most important and powerful and has been called "the centre of gravity" in the Corporation set-up. This Committee consists of 14 members elected by the councillors and aldermen from amongst themselves at the first meeting of the Corporation after each election. One-half of the members retire at the expiry of one year from the date of its constitution but are re-eligible for election. The Committee elects one of its members to be the Chairman and another as Deputy Chairman. This Committee has considerable authority. It is authorized to appoint officers and other employees whose minimum salary is less than Rs. 500/-. Its approval is required before the Municipal Commissioner admits or compromises any claim against the Corporation. Its consent is necessary before any resolution or the budget estimate can be passed. It also shares with the Corporation its powers in regard to the final approval of budget estimates. With the passage of time, the Standing Committee has succeeded in maximising its formal and informal powers, its relationship with other committees and authorities and its prestige with outside governmental institutions.

**Municipal Commissioner :** The distinctive feature of the corporation set-up throughout the country is a distinction between the deliberative and the administrative wings. The administration of Delhi Corporation is divided into three main distinct branches or wings, each directly under the Corporation through the concerned statutory committee : General Administration, the Delhi Water Supply and Sewage Disposal Undertaking and the Delhi Electric Supply Undertaking. The first two units are headed by the municipal commissioner and the last by the general manager. These units have their own services, account and budget.

The commissioner is appointed by the union government for a term of five years, but there is provision for extending this term not exceeding one year at a time. The appointing authority, namely, the central government can remove him from office for incompetence, negligence or misconduct. The Corporation, as well is authorized to ask for his removal by a resolution passed by a majority of not less than three-fifths of the total number of its members. In such a case the central government has

to act on its request. Under law the executive authority for the purpose of carrying out the provisions of the Act is vested in him. He is also the head of the services of the Corporation and is responsible for the conduct, integrity and efficiency of all municipal employees. The commissioner (as in 1971) is assisted by five deputy commissioners in-charge of water, slums, taxes, establishment and general administration respectively. In addition, there is the general manager of the Delhi Electric Supply Undertaking to assist him. However, the municipal commissioner of Delhi has to work under certain handicaps. In the first place, there is the overlapping and distinct lack of jurisdiction between the Delhi Administration and the Corporation. This poses special problems for the commissioner, the like of which are not found in any other metropolitan corporation. Secondly, he has to reckon with statutory undertakings whose autonomy puts severe restrictions on his executive powers.

**Functions of the Corporation :** The Corporation Act of 1957 has made a detailed provision of functions on the lines of the Bombay Municipal Corporation Act. The duties and functions of the Corporation are divided into two categories—obligatory or compulsory and discretionary or optional. The first category includes all the functions generally associated with municipal government, namely, matters concerned with public safety, public health, public convenience and public instruction. In addition, it has also the duty of establishment, maintenance and management of undertakings like electric supply and the running of transport services. Delhi being a big and growing metropolis, the discharge of obligatory duties by itself places onerous burden on the Corporation.

**Finance :** The revenues of Corporation are derived from four sources : taxation, government grants, loans, and miscellaneous, the last item including income from rents, fees, fines and others. The taxes, it is empowered to levy, fall under two heads, obligatory and discretionary. The first category includes property tax, tax on animals and vehicles, theatre tax, tax on advertisements other than advertisements published in newspapers, duty on the transfer of property and tax on buildings. Discretionary taxes include education cess, tax on professions, trades, callings and employment, betterment tax, tax on boats, tolls, local rate on land revenues and tax on the consumption and sale of electricity. If the Corporation wishes to levy any tax coming in the second category, it has to pass a resolution "defining the maximum rate of the tax to be levied, the class or classes of persons or the description or descriptions of articles and properties to be taxed, the system of assessment to be adopted and the exemptions, if any, to be granted." After such a resolution has been passed by the

Corporation, it has to go to the union government for approval and it is only after such an approval has been obtained that the Corporation can levy the tax.

**New Delhi Municipal Committee :** At the time of the creation of Delhi Municipal Corporation, a policy decision was taken to exclude about half of New Delhi area from the jurisdiction of the new Corporation. In this area were located foreign embassies, the offices of the central government including the secretariat and governmental quarters for its staff. It was felt that "the standards of health, of cleanliness, of sanitation and of education, and of almost everything in respect of this area called for special attention",<sup>56</sup> which could not be ensured if this area was made a part of the proposed Delhi Corporation. Moreover, above 90 per cent of the residents of this area were government employees who could not be eligible for contesting elections and as such could have no direct voice in the management of its affairs.

The jurisdiction of the New Delhi Municipal Committee now extends over 42.74 square kilometres with a population of 2.93 lakhs (1971 census). There was a general agreement on the inadvisability of having a democratic set-up for the municipal administration of New Delhi. The States Reorganisation Commission had in this connection observed : "We have given a careful consideration to the argument that a denial to the people of Delhi of the benefits of popular government..... would be a retrograde step..... People residing in national capitals enjoy an advantageous position and they must be prepared to pay some price for it. It may be pointed out that the legal residents of the District of Columbia in the U.S.A. are at present totally disfranchised and do not in any way participate in government at either the federal or State or even the municipal level."<sup>57</sup> Accordingly, the old Punjab Municipalities Act (No. III) of 1911 continues to govern the New Delhi Municipal Committee.

The Committee is composed entirely of nominated members including both officials and non-officials. The members are appointed by the Lieutenant Governor of Delhi. The minimum number of members fixed under the bye-laws is three. The reconstitution of the Committee in October 1968, however, fixed the membership at 11 consisting of the President and four other official members and six non-officials. All matters relating to the appointment of members including the President of the Committee, their number and term of office are "reserved" in the hands of the Lieutenant-Governor. The President is a senior member of the Indian Administrative Service appointed by the

56. *Lok Sabha Debates*, Vol., IX, 1957, p. 2564.

57. *Report of the States Reorganisation Commission*, 1955, New Delhi, p. 151.

Lieutenant Governor. The Committee has two vice-presidents, senior and junior, elected by the members annually from among themselves. The President is the head of municipal administration. When he is absent, the senior vice-president and in his absence the junior vice-president exercises all his powers and discharges all his functions. The Committee works through the help of sub-committees of whom there were ten in 1971. The Committee functions like any other municipal body of a similar type. Special provision, however, exists in respect of any matter concerning the Committee *vis-a-vis* the Delhi Administration. In such matters any decision by the Executive Council requires the concurrence of the Lieutenant Governor.

**Delhi Development Authority :** The Delhi Improvement Trust was set up in 1937 to clear slums and secure planned development of the city. The Trust had hardly got going when the Second World War broke out in 1939 and continued to rage till August 1945. Obviously, the priorities being different in war-time, the activities of the Trust became moribund. The Delhi Improvement Trust Enquiry Committee (1951) found the achievements of the Trust unimpressive. In 1955, therefore, a new body, known as the Delhi Development (Provisional) Authority was established to take over the task of developing the city in addition to the already existing Improvement Trust. Two years later, under the Delhi Development Act of 1957, this provisional authority was converted into a regular Delhi Development Authority which came into existence on December 30, 1957.

The Authority is a high-powered body presided over by the Lieutenant Governor himself who is its *ex-officio* chairman. Other members of the Authority are a whole-time vice-chairman nominated by the government of India, who is the real executive head of the Authority; an engineer member who is a nominee of the union government; a finance-cum-accounts member who is also appointed by the central government; two representatives of the Delhi Municipal Corporation elected by the councillors and aldermen from among themselves; two representatives of the Advisory Committee for Delhi (constituted by the Ministry of Home Affairs); two members who are nominees of the union government, one of whom should have experience in town-planning. The Authority is thus an entirely official body nominated by the central government which has paid scant attention to the recommendation of the Delhi Improvement Trust Enquiry Committee (1951) that "public opinion should be well represented on the Authority through a non-official majority."

There is an Advisory Council attached to the Authority, consisting of twenty members and a president as follows :

(a) President, who is *ex-officio* Chairman of the D.D.A.,

as the Delhi Development Authority is popularly called.

- (b) Ten members nominated by the central government—one representative of the health department of the Delhi Administration; four from the technical departments of the central government; two with knowledge of town planning or architecture; one representing commerce and industry; one representing labour in Delhi; and one other member.
- (c) Four representatives of the Delhi Municipal Corporation.
- (d) One representative of the Delhi Electric Supply Committee.
- (e) One representative of the Delhi Transport Committee.
- (f) One representative of the Delhi Water Supply and Sewage Disposal Committee.
- (g) Three members of Parliament, two from the Lok Sabha and one from the Rajya Sabha, elected by the respective houses. The term of office of the elected members of the Council is four years provided they continue to be the members of the parent body during the period.

The main purpose in creating the Delhi Development Authority was to prepare the Master Plan for Delhi and detailed zonal plans for different areas into which the city had been divided. The Authority has wide powers for acquisition and development of land. The powers of the Delhi Corporation have been restricted to permitting development only in areas which have not been declared as development areas for purposes of preparing zonal plans provided it is not inconsistent with the provisions of the Master Plan. The Authority has done creditable work since its inception. The first thing it did was to prepare, in consultation with the Town and Country Planning Organisation, a Master Plan for Delhi laying down the objectives and the pattern of development for the next twenty years. This Plan was approved by the central government in September 1962 when it came into force. The Authority then took in hand the work of acquisition and development of land and has done commendable work in this field. Another major concern of the Authority has been slum improvement and clearance including the rehabilitation of thousands of "jhuggi-jhonpri dwellers squatting on unauthorised land." In addition, the Authority has taken upon itself the task of building residential houses on no-profit and no-loss basis for low-income and middle-income groups. Besides developing residential areas, it is also engaged in developing industrial complexes for locating small-scale and large industries like the Naraina and Mayapuri Industrial

Complex.

**Public Services in Union Territories :** The persons recruited to the services and posts in various union territories are, strictly speaking, the employees of the central government. However, with regard to pay scales, Delhi, Andaman and Nicobar Islands, Lakshadweep, Goa, Dadra and Nagar Haveli and Pondicherry have adopted the central pattern, while Chandigarh, Arunachal Pradesh and Mizoram have retained linkage with the pattern in force in a neighbouring state. "Apart from the posts which are directly under the Central Government, the employees holding posts in the Union Territories accounted for about 1.04 lakhs (employees) as on 31-3-1970 (except in respect of Mizoram for which the information was as on 1-3-1972). The Class III and Class IV posts taken together accounted for 92.9 per cent of the total employment, the former being 55.8 per cent and the latter 37.1 per cent. Class I and Class II posts accounted for 1.5 and 5.6 per cent respectively. Permanent and temporary staff constituted 44.6 per cent and 55.4 per cent respectively."<sup>58</sup> These union territories do not have their own Public Service Commissions and recruitment to their services is made through the Union Public Service Commission with two exceptions. In the case of Arunachal Pradesh, recruitment (as on 8-1-1976) is made through a special Selection Board constituted by the Ministry of Home Affairs in respect of Class I posts; and in the case of Mizoram, recruitment of Class I and II officers is made by the Lieutenant Governor.

**High Courts :** Except in the case of Delhi and Goa, all other union territories are served by the High Courts of neighbouring states. Thus, the jurisdiction of the Calcutta High Court extends over Andaman and Nicobar Islands; of the Gauhati High Court over Arunachal Pradesh; of the High Court of Punjab and Haryana over Chandigarh; of the Bombay High Court over Dadra and Nagar Haveli; of the Kerala High Court over Lakshadweep; of the Gauhati High Court over Mizoram and of the Madras High Court over Pondicherry. Delhi has its own High Court consisting (as on 26-11-1975) of one Chief Justice, thirteen puisne judges and six additional judges. In the case of Goa, the Judicial Commissioner's Court has been declared as a High Court for the purposes of Articles 132 and 134 of the Constitution.

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58. *Report of the Third Central Pay Commission* (1973), New Delhi, para, 17.







## CHAPTER IV

# DEFENCE

### I. History of the Indian Armed Forces

The present Armed Forces of India have evolved from the military forces created by the English in this country, first under the East India Company from about A.D. 1600 and later under the British Crown from 1858 to 1947. These forces are the Army, the Navy and the Air Force. The Army being the oldest service will be dealt with first.

The history of the Army of India from 1600 onwards falls into four periods, viz., (i) from 1600 to 1858 under East India Company; (ii) the history of the armies of Bengal, Madras and Bombay Presidencies from 1858 to 1895; (iii) from 1895 to 1947 and (iv) lastly the history of the Army of free India from 1947 onwards.

**(i) Army under the East India Company (1600—1858) :**  
When the East India Company established factories or trading posts in India during the first half of the seventeenth century it enrolled guards for their protection and for adding to the dignity of the chief officials. Their organization was improved from time to time, and from them sprang the Company's Native and European troops. But the first regular enrolment of sepoys as such did not take place in Madras till 1748 when Major Stringer Lawrence recruited some Indians on behalf of the Company to fight against the French.

The French had enlisted some Indian soldiers as early as 1676 to supplement their scanty force of Europeans in Pondicherry and in 1740 they had a military force consisting of a body of European infantry and 4,000 to 5,000 Indians armed in the European fashion. Their successful use of this instrument of war led Robert Clive to emulate their example and to give to the Indian soldiers of the English Company a new discipline of the western type.

The Company had three separate trading organizations in the Presidencies of Bengal, Madras and Bombay, and communication between these by sea and land was long and tedious. Their geographical situation thus gave rise to local or Presidency armies, practically independent of each other. These armies had two portions each—the European and Indian or 'native' as it was called then. They were organized into infantry, cavalry and artillery units, the latter mostly

1 D of Cult./76 —19.

from companies of Royal Artillery transferred bodily from England to the service of the Company.

The Indian portion of the Presidency armies was recruited from the countless military adventures with whom India was swarming at the time. Clive organized his battalion of Indian troops, nicknamed *Lal Paltan*, on European model. After his success at Plassey, he raised a second battalion, his example being followed in Madras where six battalions on similar model were raised, and a little later in Bombay, where independent companies of Indian soldiers (later formed into battalions) were recruited. The notable difference between Clive's system and the one in vogue earlier lies in the fact that whereas hitherto the Indian troops organized in companies were under the command of their own Indian officers, he introduced a British element at the officer level, while still retaining the Indian officers, including an Indian Commandant. As the system gradually evolved, the Indian battalions came to have only British Commandants and British Company Commanders in due course.

The forty years following the Battle of Plassey saw the expansion of the Company's rule in every direction, and its Indian troops proved a formidable factor in the achievement of this result. The experience gained in these operations was constantly utilized for developing and improving the Company's armies in the three Presidencies. The Indian troops were formed into brigades, artillery was increased, a Commander-in-Chief was appointed for each Presidency and the military administration improved in various ways. By 1796, when a general reorganization of these armies was carried out the Company had about 13,000 European soldiers and 57,000 Indian troops.

The French had confined their recruitment chiefly to the people of southern India. The British cast a wider net and enlisted Pathans, Rohillas, Rajputs, Arabs, Abyssinians and in fact men from some other classes also which were later regarded as belonging to non-martial races of India. In Bengal, besides the mixed classes of adventurers who ranged themselves under British standard, the Company gradually drew recruits from Oudh (Avadh), and from 1776 onwards the Indian army in Bengal was almost entirely recruited from the tract of country between the Ganga and the Ghaghara, the men being described as mostly Brahmins and Rajputs, and as 'a brave, manly race of people'. Though their discipline and training was by no means perfect, both were infinitely superior to anything of the kind possessed by their opponents. With the passage of time, some Indian rulers tried to adopt the western system of training for their armies but could not copy it in entirety for want of sufficient number of European officers and equipment. After the defeat of the French by the British in India,

many French officers were available for employment by the Indian princes to train their armies to fight against the British. But for various reasons these forces never came to the standard attained by the Indian troops of the Company. Nevertheless, though not so well led, equipped or organized, the soldiers of the Indian princes were second to none in their courage, bravery and disregard for personal safety.

**Reorganisation of 1796 :** The first reorganization of the armies of the East India Company took place in 1796. As already remarked it had at this time only 13,000 European and 57,000 Indian troops. Of the latter Madras and Bengal had 24,000 each and Bombay 9,000. By this reorganization, the strength of the Indian troops was reduced, but the number of British officers per unit was increased. As a result of this, the authority and dignity of the Indian officers, which had already decreased under Clive's system was still further diminished.

Another important change was that in place of independent battalions then in existence, double-battalion regiments were formed for the first time in Indian infantry. This was far from satisfactory. The Colonel Commandant of the regiment, who had direct control over both battalions, was invested with excessive authority to the detriment of the power and initiative formerly exercised by the battalion commanders, and it was thought desirable that the battalion commanders should continue to exercise it.

These Indian infantry regiments were formed by linking existing battalions and amalgamating half battalions of reduced regiments with them. This naturally led to renumbering of units within their armies.

The next sixty years saw immense changes in India which were reflected in the Army. During this period, vast territories had been annexed, the larger part of India had become directly subject to the Company and paramountcy established over the princely states which were controlled by the Company's agents. These events necessarily resulted in large increase in the Presidency armies and changes in organization.

**Reorganization of 1824 :** The unsatisfactory nature of the organization of 1796 was realized and there was a further reorganization in 1824 by which double-battalion regiments were finally broken up into new single battalion regiments which were numbered according to the date on which they had been originally raised. Another defect of the 1796 reorganization was, however, allowed to continue namely, the high proportion of British officers in Indian infantry and cavalry units. The enrolment of irregular cavalry was copied from the Indian rulers who always had levies of horse attached to their armies. These

horsemen were not clothed or armed by the state, but were on the *silledar* system, each furnishing his own horse and equipment. There were only two or three European officers with each of these corps. These irregular cavalry units (finally abolished in 1921) were in addition to the regular cavalry units officered on the full European scale.

**Local Corps :** Local corps, more rough and ready than the regular Army, were raised from time to time for service in their particular parts of the country. In 1846, a Frontier Brigade was raised in the Sutlej States for police and general purposes ; the Corps of Guides was formed, and in 1849 the Punjab Irregular Force was raised. Some other local forces were (i) a contingent raised in Nagpur on the annexation of that place in 1854, (ii) the Oudh Irregular Force raised after Oudh was annexed and (iii) a contingent maintained in Hyderabad by the Nizam but commanded by the Company's officers and available for service elsewhere. Besides these forces, many Indian states were under treaty obligations to maintain contingents of troops representing military aid they were supposed to render to the British Government.

On the eve of the Great Revolt of 1857 the Company's armies comprised the following :

## BRITISH

	Cavalry	Artillery	Infantry	Total
Bengal . . . . .	1,366	3,063	17,003	21,432
Madras . . . . .	639	2,128	5,941	8,708
Bombay . . . . .	681	1,578	7,101	9,360
<b>TOTAL</b> . . . . .	<b>2,686</b>	<b>6,769</b>	<b>30,045</b>	<b>39,500</b>

## INDIAN

	Cavalry*	Artillery	Sappers and Miners	Infantry**	Total
Bengal . . . . .	19,288	4,734	1,497	1,12,052	137,571
Madras . . . . .	3,202	2,407	1,270	42,373	49,252
Bombay . . . . .	8,433	1,997	637	33,861	44,928
Local forces and contingents	6,796	2,118		23,640 (unclassified)	32,554 7,756
<b>TOTAL</b>	<b>37,719</b>	<b>11,256</b>	<b>3,404</b>	<b>211,926</b>	<b>272,061</b>

\* Including Company's European troops.

\*\* Including irregulars, and local units not in forces or contingents.

Of the total number of European troops in India about 24,263 were Royal Troops and the remainder belonged to the Company's service. The Indian troops outnumbered the Europeans by nearly right to one.

**Revolt of 1857** : There had been some rebellions in the Indian Army on a small scale even before 1857, e.g., in 1794 the Bengal sepoys had revolted for higher pay and gratuity, two years later the European officers had combined to protest against the abolition of *bhatta*. In 1806 there was a revolt in the Madras Army and in 1809 European officers of the Madras Army were guilty of rebellious conduct. In 1824 the Bengal troops had revolted at Barrackpore. But the most important of all these was the rising of 1857 in which nearly the whole of the Bengal Army, regular and irregular, revolted.

We are not concerned here with the nature and causes of the Great Revolt excepting its political and military effects which were far-reaching. On November 1, 1858, at a *darbar* held in Allahabad by the Governor-General, a Royal Proclamation was issued in the name of the Queen by which the Crown assumed the direct control over the Government of India. Immediately after this, attention had to be paid to the military problems, namely the status, organization and proportion of the European and Indian forces of the late Company.

**(ii) Presidency Armies, 1858-95. Reorganization of European Troops** : As a result of the Royal Proclamation the Company's European troops were transferred to the service of the Crown, and the distinction between "Royal troops" and the "Company's European troops", which had existed for more than a hundred years disappeared. This reorganization of British forces (amalgamation of the Company's white troops with the corresponding units of the Royal army) was completed by 1860. It was decided that the number of such troops in India should not exceed 80,000. These were to be lent to and paid for by the Indian government. The Government of India was responsible not only for the pay and allowances of these troops for the period of their service in India, deferred pay or gratuity, transport charges and non-effective charges (pensions etc.) but also for a capitation rate which was based on the charges for enlisting and training the recruits in England, the pay of young officers before they went to India, a share of the cost of educational establishments and the expenses of men sent home after the expiry of their time or invalidation. It was mainly these charges that led to the accumulation of India's national debt in the coming years.

**Reorganization of Indian Troops** : The reorganization of Indian troops begun in 1861, reflected the British distrust of Indians. Some cavalry and infantry units were disbanded, others were amalgamated and all the Indian artillery, with a few exceptions, was abolished. The recruitment of *Poorbias* was completely stopped and the proportion of Europeans in the Army increased. The Madras and Bombay Armies, the Hyderabad Contingent and the Punjab Frontier

Force needed no reconstruction as they had remained loyal during the Revolt, but since reorganization was general, the principles accepted were applied to them also. All the cavalry was organized on the *silledar* system except in Madras. Cavalry and infantry regiments were given six European officers each instead of three in the pre-Revolt period.

The final result of these reforms which were completed by 1864 may be summarized as follows :

The armies in India were reduced in strength—whereas on the eve of the Revolt their strength was 3,50,538, it was now only 2,05,000 men of whom 65,000 were British. There was thus a decrease of about 40 per cent in the total strength but an increase of 60 per cent in the number of British troops. Before the outbreak of the Revolt, the Indian troops outnumbered the Europeans by 8 to 1, now they were just a little more than double of the European troops *i.e.* 2.15 to 1.

The question of officering the Indian armies was solved by the institution of three 'Presidency Staff Corps'. Hitherto, the British officers of Indian armies belonged to regimental cadres with a right to promotion in regimental succession but no claim to equality of promotion with officers of other regiments. To remove this cause of grievance, promotion in the new Staff Corps was to be governed by the length of service.

Although from 1860 to 1878 there were some expeditions on the north-west and north-east frontiers of India and a couple of small wars (the China War of 1860 and the Abyssinian War of 1867-68), the period was on the whole comparatively peaceful for the Indian armies and the new system worked successfully. A few reforms were, however, introduced, such as an increase in the emoluments of Indian officers and men, revision of pension rules, the issue of new types of rifles in 1874, and the introduction of certain changes in dress and uniform.

**Army Organization Commission :** The Afghan War of 1878-80, involving the employment of a considerably large army revealed many defects in the military system of India. In 1879, therefore, Lord Lytton constituted the Army Organization Commission to devise means for reducing military expenditure and for improving the efficiency of the armies for war. At this time the British troops numbered about 65,000 and the Indian troops about 1,35,000.

The immediate outcome of the Commission's recommendations was the reduction of four regiments of Indian cavalry, eighteen of Indian infantry and the addition of one British officer to each of the remaining regiments. Instead, the strength of cavalry and infantry regi-



ments was increased<sup>1</sup>. Eleven batteries of British artillery were also reduced. The long-term recommendations related to the abolition of the Presidency armies and led eventually (in 1894) to the unification of the three armies into one Army of India. The principle of segregation by eliminating Punjabis from Hindustani regiments and *vice versa* and the replacement of mixed troops and companies was introduced.

Recruits were now enrolled for a group and in 1886 Indian Infantry battalions (hitherto called Regiments) were linked together in groups of two or three battalions with a permanent regimental centre at which it was intended that one battalion of the group should always be located.

In 1886-87, a reserve for the Indian armies was formed in which there were two classes—an active and a garrison reserve. The reserve system (based on voluntary service) introduced at first for the infantry, was later extended to cavalry, artillery and sappers and miners.

After the Great Revolt the accepted policy for about 25 years had been the reduction of Indian armies to a strength sufficient for internal security and local defence of the border. But the Panjdeh incident of 1885 led to the consideration of a contingency in which a war with a great European power like Russia might have to be undertaken. To provide for such a contingency, it was decided to increase the Army in India. The first measures adopted to this end resulted by 1887 in an increase in the British troops of 10,600 men and in the Indian troops of 20,000 men.

A considerable portion of the augmentation was absorbed in the increased garrison of Burma necessitated as a result of the annexation of Upper Burma, after the Third Burmese War in 1885. The Burmese War also resulted in the raising of levies and military police composed of Gurkhas, Punjabis and Hindustanis for service in Burma. Another measure consequent on the Burmese War was taken in 1893 when in order to improve the material of the Madras Army for service in Burma, local battalions were formed of Sikhs, Punjabi Muslims, Gurkhas and other classes till, in the course of time, eight battalions of the Madras Army were thus reconstituted.

**Imperial Service Troops :** In the Afghan War of 1878-80 contingents from some of the Indian states of the Punjab did good service in the Kurram valley, and when war seemed imminent in 1885, the native princes of India placed the resources of their states at the disposal of the Government of India. From this offer arose (in 1889) the body of 'Imperial Service Troops', which were under the

1. In cavalry regiments the strength was increased from 499 to 550 all ranks and in infantry from 712 to 832 in 1882.

control of the states furnishing them and were commanded by Indian officers, subject to the supervision of British inspecting officers responsible to the Foreign Department of the Government of India. Besides the execution and supervision of military works formerly carried out by the Department of Civil Public Works was transferred between 1882 and 1890 to a separate Military Works Department, and later in 1899 completely militarized as the Military Works Service.

(iii) **Indian Army from 1895 to 1947** : As recommended by the Army Organization Commission of 1879, the Presidency Armies were abolished with effect from April 1, 1895, by an order of the Government of India in the Army Department dated October 26, 1894. The Presidency Staff Corps had already been united in an Indian Staff Corps in 1881. The Army was divided into four territorial Army Commands as under:

- (i) Punjab (including the North-West Frontier and the Punjab Frontier Force).
- (ii) Bengal.
- (iii) Madras (including Burma).
- (iv) Bombay (including Sind, Baluchistan and Aden).

Each Command was placed under a Lieutenant-General who was directly under the Commander-in-Chief of India. All the work previously done by the Military Departments of the Presidency Governments was now to be done by the Military Department of the Government of India wherever it could not be disposed of by the Command Officer of a Command or by the Commander-in-Chief (C-in-C), India.

Each Command was divided into 2 or 3 First Class Districts and a number of Second Class Districts. The strength and distribution of the Army in India in 1895 after unification was as shown in the chart below :

### Strength and Distribution of the Army in India in 1895

Command	Indian Troops				Approximate Strength of Forces in the Command		
	Cavalry Regiments	Artillery Battalions	Sappers and Miners	Infantry Battalions,	British	Indian	Total
Punjab	15	5	..	37	19,109	42,384	61,493
Bengal	9	2	1	22	23,239	30,819	54,058
Madras	3	..	1	32	14,669	30,405	45,074
			(& 1 Coy)				
Bombay	7	2	1	26	15,556	30,055	45,611
TOTAL	34	9	3	117	72,573	133,663	206,236
			(& 1 Coy)				

The above figures do not include the following local corps which were directly under the Government of India and not under any Command :

The Hyderabad Contingent  
Regiments of Central India Horse  
The Malwa Bhil Corps  
The Bhopal Battalion  
The Deoli Irregular Force  
The Erinpura Irregular Force  
The Meywar Bhil Corps  
The Merwara Battalion.

The forces in the various Commands were to be localized for service in those Commands, and the Indian units included in them, did, in fact, retain the numbers and designations which they held in the old Presidency armies.

Thus, although the change effected in 1895 had brought all the forces under the direct control of the C-in-C, India, the new Commands were as separate from each other as the Presidency armies had been. The Command areas and District areas were fixed without any reference to a plan of adapting each formation to the requirements of war. More drastic measures were needed to bring about a complete unification of the Army and to make it fit for playing an effective part in a major war. These measures or at least some of them came in the time of Lord Kitchener who took up his appointment as C-in-C in India in November 1902, and immediately commenced consideration of a scheme for reorganization and redistribution of the Army in India. Some of the proposed changes of his scheme were of a long-term nature but he carried out the following important changes, in less than a year after his arrival in India. These were :

(i) In January 1903, the designation "Indian Staff Corps" as applied to the British officers with the Indian portion of the Army was abolished and they were more appropriately designated "Officers of the Indian Army", since most of them were employed on regimental rather than staff duties, henceforth the British officers and rank and file of Indian units all belonged to "the Indian Army".

(ii) In the same month, Burma was separated from the Madras Command and constituted an independent military charge called the Burma Command.

(iii) In April, the Hyderabad Contingent was broken up—its cavalry regiments were transferred to the Bombay Command while its infantry regiments were transferred to the Madras Command.

(iv) In April again, the Punjab Frontier Force and Frontier

district and its territorial area were distributed between Peshawar, Kohat and Derajat districts.

(v) From October 2, 1903, all units of the Indian Army were given new designations and numbers—the units being renumbered in one sequence according to their arms (excluding Gurkha battalions numbered separately) and all designations of the old Presidency armies were omitted.

These changes brought about an almost complete unification of the Indian Army, but more changes were to follow based on four great principles enunciated as under :

- (i) That the main function of the Army was to defend the North-West Frontier against an aggressive enemy.
- (ii) That the Army in peace should be organized, distributed and trained in units of Command similar to those in which it would take the field in war.
- (iii) That the maintenance of internal security was a means to an end, namely, to set free the Field Army to carry out its functions.
- (iv) That all fighting units, in their several spheres, should be equally capable of carrying out all the roles of an army in the field, and that they should be given equal chances, in experience and training, of bearing these roles.

In conformity with the above principles some changes were introduced by 1905 when the Army in India was distributed into the three Commands; Northern, Western and Eastern and the 9th Secunderabad Division and the Burma Division. This organization was again replaced by a new one, and by 1908 we find the Army in India divided up as follows into two armies only :—

#### Northern Army—

- 1st (Peshawar) Division.
- 2nd (Rawalpindi) Division.
- 3rd (Lahore) Division.
- 7th (Meerut) Division.
- 8th (Lucknow) Division.
- Kohat, Bannu and Derajat Brigades.

#### Southern Army—

- 4th (Quetta) Division.
- 5th (Mhow) Division.

6th (Poona) Division.

9th (Secunderabad) Division.

Burma Division.

Aden Brigade.

At the head of each Army was a General Officer responsible for command, inspection and training only—all administrative duties were performed directly under Army Headquarters, there being little, if any, decentralization in such matters.

Lord Kitchener's scheme had not been completely carried out when the World War I broke out in 1914, but the reforms which he had set in motion and the principles enunciated by him and observed even after he had left, enabled the Indian Army to take up its responsibilities as promptly and efficiently as it did. The huge expansion which took place from 155,523 men in August 1914, to 573,484 in November 1918<sup>2</sup>, speaks for itself. Large Indian armies served outside India in France, Gallipoli, Mesopotamia, Persia, Aden, Africa, Black Sea, China, Egypt, Salonika and elsewhere and fought the Empire's battles with great credit. Though India made enormous contribution to the war efforts in men, money and material, the cost of Indian troops sent abroad was met by His Majesty's Government.

**From 1918 to 1939 :** World War I revealed defects in the organization of the Army in India. The most serious of these perhaps was that the ancillary services of the Army were either non-existent or under-developed. For this reason, all Divisions were not capable of immediate mobilization. The lessons of the war were not lost upon the authorities and they prepared plans of reorganization and reform along with those for demobilization after the war. The task could not be commenced immediately after the armistice as large bodies of Indian troops continued to serve overseas in the mandated territories, while the Government of India was further pre-occupied with the outbreak of the Third Afghan War and operations in Waziristan.

However, by 1923, demobilization had been carried out and the strength of the Army brought down to its peace-time level of 75,924 British and 128,901 Indian troops.

In 1919 a strong committee had been appointed with Lord Esher as its president to enquire into and suggest changes in the administration and organization of the Army in India. As, however, the terms of the Committee were limited, a general scheme of reorga-

2. This number is for only combatants of the Indian Army as in November 1918, and excludes Indian combatants in British artillery and British Machine Gun Companies, and casualties during the period of the War. The figure for the total number of men supplied by India up to the armistice was more than 14 lakhs. (*India's Contribution to the Great War*, Calcutta, 1923, p. 295.)

nization having a wider scope than the recommendations of the Esher Committee was evolved at the Army Headquarters under Lord Rawlinson as the Commander-in-Chief. Apart from many improvements in the terms of service of the Indian ranks, clothing and housing, and pay and pensions, calculated to secure contentment and efficiency, the following were some of the other important changes introduced in the Army reorganization from 1920 to 1923 :

(i) The abolition of the *silledar* system from the Indian cavalry. Henceforth every cavalry man was provided with his mount and equipment by the Army.

(ii) Indian infantry was reorganized on the lines of the British infantry with active and training battalions linked together and a new system of "Reserves".

(iii) During the Great War, an Indian Defence Force had been organized in which male European British subjects, resident in India, were enrolled. Indians were also allowed to join this volunteer force if they satisfied the prescribed standards. This was meant as a second line force ready to take the place of a portion of the Regular Army for local defence. The maximum number of enrolment in the European branch of the Indian Defence Force amounted to 44,500. The Indian branch had a maximum of 5,634 men enrolled, including men subsequently rejected, but this branch of the Defence Force as a whole never became effective. In 1920, the Indian Defence Force was split into two; a voluntary organization called the Auxiliary Force, India, for European subjects and the Indian Territorial Force for non-European British subjects. The University Training Corps was organized as a part of the Indian Territorial Force.

(iv) The Imperial Service Troops, provided by the Indian princely states, were renamed the Indian States Forces and divided into Class A, Class B, and Class C Troops according to their scale of equipment.

**Indian Military Academy :** In November 1930, the Indian Round Table Conference met for its first session. It set up, *inter alia*, a Defence Sub-Committee, which recommended a substantial increase in the rate of Indianization of the officer rank of the forces in India; the establishment of a military college in India for the above purpose; and the reduction of the number of British troops in India "to the lowest possible figure."

The first recommendation was accepted by the British Government and resulted in the arrangement for Indianizing the equivalent of one complete division and a cavalry brigade. In pursuance of the second recommendation, the Indian Military Academy was opened at Dehra Dun on October 1, 1932. It was, however, not possible for the British Government to accept the third recommendation, *viz.*, to reduce the

British troops in India.

While political pressure accelerated Indianization, the financial difficulties resulted in the disbandment of some Indian units. Two Indian infantry battalions and two railway companies of Sappers and Miners, were reduced. Moreover, the Indian Pioneers, too, were disbanded with effect from October 1, 1932, on the initiative of the Secretary of State for India. It was calculated that their reduction would lead to a saving of rupees twenty lakhs per year, while effecting a greater homogeneity in the Engineer Services at the same time.

By 1937, the regular and irregular forces in India appeared, numerically, quite considerable, but as they had not attained mechanization they compared unfavourably with the armies of other countries whose mobility and speed had increased beyond recognition since 1918 owing to the use of mechanical transport. The acceptance of the obligation for despatch of troops to man the garrisons overseas had further weakened the potential of the Indian Army for the defence of the country. This was reflected in the scaling down of the plans for the defence of the North-West Frontier.

**Tasks of the Army :** There existed since 1931 the 'Pink Plan' for an advance into Afghanistan in the event of hostilities. This was later abandoned and its place taken by a new plan. The Plan of Operations 1938, envisaged only an active defence of the North-West Frontier. Under this Plan, the tasks allotted to the defence forces were :

- (i) To provide for the defence of the North-West Frontier against external aggression and to maintain the existing position *vis-a-vis* the tribes.
- (ii) To maintain law and order in India and to suppress disorder which, in the worst case, might amount to rebellion.
- (iii) To ensure the safety of strategic lines of communications in India.
- (iv) To defend the ports and coast of India against attack.
- (v) To provide a General Reserve at the disposal of the Army Headquarters.
- (vi) To provide forces which might, under certain conditions, be employed overseas at the request of His Majesty's Government.

**Forces Available :** The forces available for the defence of the North-West Frontier sectors were organized into brigades under the Northern Command and the Western (Independent) District, and amounted, roughly, to

Seven cavalry regiments,  
Two light-tank companies,

Three and a half mountain artillery regiments,

Five field artillery battalions, with a proportion of engineers and ancillary troops.

All the above were regular units ready, on mobilization, to take up their role. Battalions were throughout in the approximate ratio of four Indian to one British.

For internal defence, 29 regular battalions and 2 regular (horse) cavalry regiments were detailed in the first instance. Eleven regular battalions were earmarked for railway protection; and 8 regular battalions, 3 heavy batteries, and 17 non-regular units of varying strengths were assigned for port defence and internal security. As soon as their mobilization was complete, 13 territorial force battalions were to relieve the same number of regular battalions on railway protection and port defence duties. The regular units thus released were then to form part of the General Reserve.

In the Plan, three brigade groups were earmarked for overseas roles to be undertaken at the request of the British Government.

**Modernization :** Just on the eve of World War II, an important factor which intervened to affect the composition and strength of the armed forces was the desire to modernize them. A committee, known as Modernization Committee, was appointed by the Government of India under the chairmanship of Major-General Auchinleck. The report of this Committee formed the basis of the recommendations of the Chatfield Committee which was appointed by the British Government to examine and report on the feasibility of mechanizing the Indian forces and to determine their strength. These reports recommended a wider use of mechanization. The Chatfield Committee based its recommendations on the possible employment of the Indian armed forces in the background of the existing international situation and took full account of the overseas commitments.

No change was recommended in the existing structure of military Commands and Districts in India. The Army in India was, however, to be grouped into the following categories according to the tasks which it had to perform :—

- (i) Frontier Defence Troops : to maintain control over the frontier tribes and defend the frontier.
- (ii) Internal Security Troops : to maintain law and order in India, to suppress a possible rebellion and to safeguard the vital lines of railways.
- (iii) Coast Defence Troops : to defend the major ports of Karachi, Bombay, Calcutta and Madras against attacks from the sea or air and also to maintain local internal security.



- (iv) The External Defence Troops : (a) to reinforce the above categories of troops, if required, and for active warfare, and (b) to reinforce and defend the outposts ex-India, considered vital for India's security.

The last mentioned troops were to be an integral part of the forces in India and maintained out of the Indian revenues. As it was probable that they might have to meet the forces of a first class power in the field, they were to be equipped on a higher scale than the rest of the Army in India.

The above measures, if carried out, would render some troops surplus to the modernized army. Of these surplus units, the British were to be sent back to the United Kingdom, and the Indian units were to be disbanded except those required on permanent duty outside India. But for political reasons, none of the Indian units in the process of Indianization was to be selected for disbandment. Under the scheme no less than 24,000 well-trained combatants and some 1,200 technical personnel were to be thrown out of the Army, at a time when war was already on the horizon. In view of later difficulties in regard to technical personnel, it must be considered fortunate that most of these had not actually been disbanded when war broke out.

However, it was only about the actual outbreak of the war in September 1939 that the British Government finally approved the recommendations of the Chatfield Committee. The measures recommended had been only partly carried out when war broke out.

**Equipment, 1923-1939 :** The equipment of armies had naturally to keep pace with scientific and technical progress. But as a result of the retrenchment recommended by the Inchape Committee of 1923, the Defence Budget was reduced from Rs. 65 crores to Rs. 56 crores by 1928. This left little margin for renewals of equipment. The Army in India carried on with its comparatively old weapons, transport etc., while armies elsewhere had continued to improve theirs. In 1928, consequently, a special re-equipment programme costing Rs. 10 crores was found necessary, which, it was hoped, would be completed in four years. But the financial crisis of 1930 intervened with an inevitable second spell of retrenchment.

However, by 1933 some progress had been made in the re-equipment programme. First line animal transport in case of covering troops and most of the Field Army units was provided in full, but mechanical transport was yet incomplete. Medium artillery had been fully mechanized, but in case of cavalry brigade, field troops and some divisions only partial mechanization had been carried out. A couple of armoured car companies had been provided with light tanks also. Much, however, still remained to be done.

As the financial situation was still grave in 1933-34, another emergency budget, namely an allotment sufficient only to cover the bare cost of maintenance was accepted for that year. This was made possible by the development of economy schemes already in force and by the adoption of new measures of retrenchment. However, the main factor contributing to the reduction in expenditure was the contribution from the British Government in accordance with the report of the Capitation Rates Tribunal, commonly known as the Garran Award. The amount of this contribution towards the cost of India's defence expenditure was fixed at £1,500,000 per annum beginning from the year 1933-34.

Next, the Government of India proposed to substitute for the ten-crores programme a list of "Preparedness for war measures" indicating the progress made and the deficiency still continuing from year to year. This proposal was accepted by the Secretary of State for India. By November 1937, this list showed that rupees sixteen-and-a-half crores were still required to complete the defence preparations of the forces in India. Due to financial stringency, the deficiency was never made up. Protracted negotiations between the Government of India and His Majesty's Government took place regarding the provision of funds for the modernization of the forces in India. Early in 1938, the Chief of the General Staff in India and the Director of Military Operations were sent to the United Kingdom on deputation, and the Chatfield Committee also examined the problems in 1939. As a result the British contribution of £1,500,000 per annum under the Garran Award was now increased to £2,000,000 from the year 1939-40. This meant that when the war broke out in September 1939, the equipment of the forces had not yet been substantially improved or modernized.

The total strength of the Army, both in India and overseas as on July 1, 1939 was as under :—

(i) Regular Army in India	2,25,172
(ii) Regular Army Overseas	3,735
(iii) Auxillary Force India (European)	21,096
(iv) Indian Territorial Force	15,398
(v) Indian States Forces	46,947
(vi) Irregular Corps	20,532
	<hr/>
	3,32,880

**During World War II :** When World War II began in September 1939, India was made a party to it without the consent of the Indian leaders of the Legislatures. The Indian National Congress and other nationalist parties, therefore, refused to cooperate with the government in its war efforts, notwithstanding the fact that they were in no way sympathetic to the totalitarian ideology of the Axis powers. This attitude

of the nationalists deterred many of India's best young men from joining the Services. Still owing to economic reasons and the generally anti-Axis feeling in the country the government was able to recruit as many men as it liked, and the period of the war saw a phenomenal expansion in all the three Services, but more so in the Army. On its part the government gave up the fiction of martial and non-martial classes and began to accept men from all classes and all parts of the country if otherwise found fit for the job. This expansion can be studied conveniently in three stages : (i) from September 1939 to about April 1940, (ii) from May 1940 to about the end of 1943, and (iii) from January 1944 to the end of the war.

(i) September 1939 to April 1940 : This was the period of the so-called phoney war when although Poland had been overrun with lightening rapidity, there was a lull in the fighting throughout the winter, and Italy and Japan had not yet joined the war. Expansion in India during this period was not very notable but certain other steps towards preparedness were being taken, such as increasing mechanical transport in Army ; modernization of the equipment for which more funds had been sanctioned by the British Government (in addition to the Garran Award contribution); training of artificers ; opening of a new officers training school for British Emergency Commissioned Officers, calling up reservists of units which had proceeded overseas, embodying of some Indian Territorial Force (ITF) battalions etc. Some of the External Defence Troops were also sent to the Middle East and few Indian States Forces (ISF) contingents and a Nepalese Contingent were brought into British India. The strength of the Army in India on April 1, 1940 was as under :

Regular Army	227,648
ITF (embodied)	9,787
ISF in British India	5,830
Nepalese Contingent	8,204
Auxiliary Force India (not embodied)	21,537
ITF (not embodied)	7,674
ISF in Indian States	49,451
Irregular Corps	22,286
Overseas (Regular Army)	23,581
<b>Total</b>	<b>375,998</b>

Compared with the figures as on July 1, 1939 it shows a small increase of only 43118. Although there was no large scale expansion during this period, the decks were being cleared for further action in the following years.

(ii) **May 1940 to December 1943** : The second stage from May 1940 to December 1943 is the one which saw the fall of France, the coming into the war of Italy, Russia, Japan, the USA and other countries, which gave the conflict its global nature and revealed the magnitude of the task to the Allies. This period, therefore, saw the most unprecedented expansion in the Armed Forces of India in all directions, in spite of the Quit India Movement (1942) in the country. The figures of the strength of the Army as on January 1, 1944 are given below for comparison :—

<b>In India</b>	
Regular Army British . . . . .	167,866
Regular Army Indian . . . . .	1,587,842
Defence of India Corps . . . . .	186,469
Auxiliary Force India (embodied) . . . . .	3,081
Irregular embodied . . . . .	4,611
ISF in British India . . . . .	23,040
Nepalese Contingent . . . . .	8,670
Burma Army . . . . .	19,140
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	20,00,719
Auxiliary Force India (not embodied) . . . . .	14,606
ITF (not embodied) . . . . .	7,328
Irregulars (not embodied) . . . . .	24,480
ISF in Indian States . . . . .	53,258
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	99,672
<b>In Ceylon</b>	
Regular Army British . . . . .	7,457
Regular Army Indian . . . . .	27,002
	<hr/>
	34,459
<b>Overseas</b>	
Indian Army . . . . .	214,506
ISF . . . . .	12,800
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	227,306
	<hr/>
	2,362,156
	<hr/>
	2,362,156

During this period, the year 1942 saw the greatest expansion, necessitated by the gravity of the Russian situation and the resounding successes of the Japanese in the east.

**New Formations** : This period also saw the formation and development of new types of forces and corps. Of these the following four deserve a separate mention :—

(a) *Special Force or Chindits* : A new type of guerilla force, called the Special Force or Long Range Penetration Group or Chindits was formed to operate behind the Japanese lines in the forests of Burma. It was named the 77th Indian Infantry Brigade. Conceived and led by Brigadier O.C. Wingate, a remarkable young commander of adventurous spirit, it crossed the Chindwin into Japanese held territory early in 1943 and was supplied entirely from the air. Its spectacular success

in performing numerous acts of sabotage on the Mandalay to Myitkyina railway line, led the British Government to decide in favour of a considerable increase in these troops for the operations in 1943-44. The force was trained in the neighbourhood of Sagar in the Central Province (now Madhya Pradesh). In 1944, Wingate launched his second expedition into Burma, the force under him being known as the 3rd Indian Division this time. There are differing opinions about strategic and tactical achievements of the Chindits, but there is no doubt that they confused and harassed the Japanese considerably, cut their lines of communication at many places and even captured Nogaung and delayed the Japanese troop movements. Above all they destroyed the myth of Japanese invincibility and proved that Indian and British troops were, man to man, a match for soldiers of any other nationality.<sup>3</sup>

(b) *Indian Electrical and Mechanical Engineers (IEME)* : A Corps of Indian Electrical and Mechanical Engineers was formed in 1943 on the lines of the Royal Electrical and Mechanical Engineers (REME) in the British Army. To begin with the new Corps was entrusted with all the work that was formerly done by the workshop branch of the Indian Army Ordnance Corps.

(c) *Indian Army Medical Corps* : The Indian Medical Department and the Indian Hospital Corps were merged into a new and bigger organization called the Indian Army Medical Corps to which some members of the Indian Medical Service were also seconded.

(d) *Women's Auxiliary Corps (India) (WACI)* : Women's Auxiliary Corps (India) was created in April 1942, mostly to fill clerical jobs, but its members also undertook ciphering, censorship, store keeping, and worked as radiologists, motor drivers and mess caterers. It attained its peak strength in May 1945 when it had a total strength of 10933 including 1148 officers.

(iii) *January 1944 to end of War* : The third period, from January 1944 to the end of the war, saw no appreciable increase. The expansion had reached its peak in the second period, and the efforts during 1944-45 were directed more towards keeping the increased strength at maximum efficiency. This resulted in certain changes in the organization of formations in the light of experience and latest military doctrine. As more and better equipment became available, the modernization process was carried forward and war wastage was replaced by recruitment of more men and officers.

An important decision of this period was to complete the raising of an Indian Airborne Division. The composition of the Division as finally agreed upon was one air landing brigade (taken from the Special Force)

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3. The Indian element in the Force was not large but the word Indian was introduced in the same for purposes of deception.

and two Indian para brigades, each of which comprised one British, one Indian and one Gurkha battalion.

It was during the last two years of the war that the Indian Army emerged finally as a well equipped force. Allied production of weapons and vehicles was in full swing by 1943 and India had no difficulty in getting its share. Thus, while in the beginning of 1943 many of the Indian units had deficiencies in items of artillery, signal, engineering and other equipment, by the middle of 1944 all deficiencies had been made good.

On October 1, 1945, the total strength of the Army in India and Overseas was as under :

In Indian Command (Regular, Defence of India Corps, Auxiliary Force (India) (embodied), ISF, Nepalese Contingent, Burma Army and Irregulars embodied . . . . .		1,561,867
Not embodied Auxiliary Force (India), ITF and Irregulars . . . . .		45,056
ISF in Indian States . . . . .		58,063
In ALFSEA (Allied Land Forces, South-East Asia)		
(Regular, Para military, ISF and Burma Army) . . . . .		816,961
Overseas (Indian Army & ISF) . . . . .		162,376
		<hr/>
		2,644,323

**Theatres Where Indian Army Served :** It is not possible here to give an account of the part played by Indian's Armed Forces during the Second World War in any detail. Only a brief enumeration of all the theatres of war in which they took part is given below with a few statistics.

Even before the war broke out there were some troops of the regular Indian army overseas for garrison duties, *e.g.*, in Aden, Malaya, Burma, Hong Kong, etc. From September 1939, more troops were despatched to these and other places, so that by 1945 they had served or were serving in the following places: France, UK, Italy, Greece, Egypt, Sudan, Eritrea, Persia, Iraq, Syria, East Africa, Hong Kong, Malaya, Burma, Ceylon, Aden, Seychelles, Bahrein, Borneo, Masira, Cocos Islands and Anchorage. In addition, a number of Indian Army officers had fought in Norway also in the British campaign that had ended disastrously in May 1940. These officers had been asked to instruct British troops in the art of mountain warfare but, as it turned out, they had actually to fight and lead independent companies against the advancing enemy formation instead of merely instructing the British

troops.

The total number of army personnel who went ex-India from August 1939 to October 1945 was 823,530 of which 241,049 belonged to the British Service. This figure includes 11,634 representing 'leave details', which gives a final figure of 5,70,847 as the total number of Indian Service personnel who left India during the war period.

A large number of awards were earned by the Indian Army personnel in this war, the figures from September 3, 1939 to November 30, 1945 being as under :—

Gallantry Awards (Including 31 Victoria Cross)	4,464
Meritorious Service Awards	3,220
Total	7,684

More than one lakh casualties were suffered by the officers and men of the Indian Army during this war as per the figures given below :

Killed in action	...	17,613
Wounded in action	...	58,692
Died of wounds or illness	...	30,528

Total : 106,833

This total does not include prisoners of war, or missing casualties except in NWFP and other parts of India excluding the Burma front.

**Indianization :** One happy result of the World War II and the consequent expansion of Indian Army was the Indianization of the officer ranks of the Army. From the beginning of the British rule the lower ranks of the Army had been largely Indian in its non-British units, but the commissioned ranks were recruited mainly from British sources, and after 1857 only from them.

The demand for Indianization of the higher ranks of the Indian Army was voiced from time to time from about the turn of the nineteenth century, but had met with scant response. In 1905, a special form of King's Commission was instituted for India but it carried limited powers of command and the recipients could rise only to the rank of a Company Officer.

The World War I radically altered the position. Indian public opinion insistently demanded a better share in the officer cadre of the country's army and the foreign government also realized the need to conciliate the martial classes of India who were giving such a good

account of themselves wherever the Indian Army units were fighting. After the famous declaration of E. Montagu of August 1917, it was decided to reserve 10 vacancies for Indians at the Royal Military College, Sandhurst every year.

There was, however, no regular scheme for progressive Indianization, although even the moderates in the Legislative Assembly of 1921 passed a resolution calling upon the government to quicken the pace of Indianization. The question was, therefore, examined in detail by the Military Requirements Committee in 1921 and by the Shea Committee in 1922. Both laid down a regular pace for Indianization to be completed in a given number of years, and recommended the early establishment of a military college in India. But the government being apprehensive that large scale Indianization might adversely affect the efficiency or loyalty of the Army, decided to try Indianization, as an experiment, in only eight units of cavalry and infantry in the beginning. The Government of India's recommendation that Indian boys be allowed to compete with British boys for grant of commissions in the Royal Air Force and some other technical services was not agreed to by the UK Government as the measure was considered potentially dangerous for continued British supremacy in India. A college at Dehra Dun (Prince of Wales Royal Indian Military College) was, however, opened to give young Indians training to fit them for admission in the college at Sandhurst. The net result of efforts up to 1924, therefore, was that ten students were being sent every year to Sandhurst and eight Army units were set apart for Indianization.

The nationalist opinion in India protested vehemently against the 'eight unit scheme' as it meant 'segregation' of Indian officers into a few earmarked units. In 1925, the demand for a military college in India for preparing students to get commissions and for Indianizing the officer cadre in a fixed number of years was again made in a resolution of the Legislative Assembly. This led to the appointment of the Indian Sandhurst Committee (The Skeen Committee) in 1925 which made its report in 1927, and recommended the grant of commission to Indians in the Air Force, doubling of vacancies for Indians at Sandhurst, the abolition of the 'eight unit scheme' and dispersal of Indian officers throughout the Army as also the establishment of a military college on the lines of the Sandhurst College. These recommendations were accepted (except that about 'eight unit scheme') and in addition to the 20 seats at Sandhurst, it was decided to reserve six vacancies at Royal Air Force College at Granwell. The 'eight unit scheme' was continued as it was felt that dispersal of Indian officers throughout the Army might be unpopular with the British officers.

These proposals were unpalatable to Indian nationalist opinion. The



Defence Sub-Committee of the Round Table Conference of 1931, therefore, recommended the early establishment of a military college and declared that "the defence of India must, to an increasing extent, be the concern of the Indian people and not of the British Government alone."

The Government of India was now obliged to take further steps to meet the public demand. It, therefore, decided to extend Indianization to a complete division of Arms and a cavalry brigade (a force equal to one-eighth of the total Army) and for this purpose to increase the intake of Indian officers to sixty per year. The Indian Military Academy was inaugurated at Dehra Dun in the autumn of 1932 and from that time Indians ceased to be eligible for admission to Sandhurst and Woolwich.

With the first officers commissioned from the Academy, the form of commission was altered from "His Majesty's Commission in the Land Forces" to "His Majesty's Commission in the Indian Land Forces".

Thus the position on the eve of the war was that 60 Indians (from Dehra Dun Academy) and 120 British officers got commission in the Indian Army every year. The Indians got commission after 2½ years training at the Academy, after which they were attached to some British unit, or sent to the School of Artillery, Kakul, or to Thomson Engineering College, Roorkee, or post-graduate training according to whether they were infantry, artillery or sapper officers. After the post-graduate training the young lieutenants were posted in replacement of Viceroy's Commissioned Officers (VCOs), to one of the Indianized units which were at that time fifteen in number (twelve infantry battalions and three cavalry regiments). This meant an addition of four new officers every year per unit. Since wastage at the top was far less, the fresh entrants' prospects for promotion were bleak. The war, however, changed all this. Whereas before the war, the nationalists were pressing the government for Indianization, after 1939 it was the government which was putting forth its best efforts to induce Indian gentlemen to apply for commissions. In view of the non-cooperative attitude of the Congress, many patriotic young men who otherwise might have offered themselves, refrained from doing so, and this affected the pace of Indianization to some extent, but those who did join or were already in service got rapid promotions.

Admission to the Academy at Dehra Dun for regular commissions was stopped in wartime and instead cadets were admitted for emergency or temporary commissions which were granted after a shorter training of 18 months, later still further reduced to 12 months. The number was not restricted to sixty, the old "segregation" of Indian

officers to the Indianized units only was given up and they began to be posted to any and every unit of the Army where they were needed. A new school for Indian officers, with a potential capacity of producing 1,200 officers per year was started at Mhow. There was still another officers' training school at Bangalore. The Viceroy's Commissioned Officers were reintroduced into the units from which they had been removed earlier to make room for the Indian King's Commissioned Officers.

The progress of Indianization in the Army can be judged from the following figures on October 1, 1939, and September 1, 1945 :

Date	British Officers including British Services Attached	Indian Officers	Total
Oct. 1, 1939 . . . . .	4,028	396	4,424
Sept. 1, 1945 . . . . .	34,590	8,340	42,930

It will be seen that whereas there were over ten British officers for every one Indian officer in the combatant arms of the Army in 1939, there were only four British officers for one Indian in 1945, and the number of Indian officers had gone up twenty-one times the pre-war figure.

Also, Indians held senior ranks with distinction. Whereas there was no Indian officer of the rank of Lt. Col., Wing Commander or Commander in 1939, in 1945 there were two Indian officers of equivalent ranks in the Navy, nine in the Air Force and even a larger number in the Army.

Soon after the war, it was decided by the British Government that in future permanent commission in the Indian Armed Forces would be given only to Indians. This brought to a glorious end the long struggle of Indian statesmen and soldiers to have the Indian Armed Force officered by Indians only.

After independence on August 15, 1947, it was considered desirable to replace all British officers as far as possible. In order that Indians may take their place, the old rules of promotion were drastically changed whereby the qualifying periods of service for most ranks were reduced. Thus while in 1940, an officer attained the substantive rank of a Lt. Col. after 24 years, after independence many got the acting Lt. Col's rank after only 6½ years of service. This and other

measures helped to complete Indianization rapidly. Thus, while in 1940 there were more than 10,000 British officers in the Indian Army and the British Army in India, on January 1, 1948, there were only 3000. An Indian (General K.M. Cariappa) even became the Commander-in-Chief in January 1949. When India became a Republic on January 26, 1950, Indian officers gave up their King's Commissions and received Commissions from the President of India who under the new Constitution is the Supreme Commander of all the Armed Forces of the union.

**Demobilization (1945-47) :** The only question of importance affecting the Armed Forces between the close of the war and the partition of the country was demobilization. From a peace time strength of 3,22,880 the Indian Army had increased to over 2½ millions in 1945. This growth was not confined to the Army alone but was general to all the Services. Hence demobilization was inevitable in peace for which plans had been made during 1944-45. These plans revised from time to time had fixed targets for demobilization based on the estimates of the strength of the forces that would be required for India's defence in the post-war period. The final target for demobilization in the Army in respect of Indian officers and other ranks in India and overseas was as under :—

Actual strength on October 1, 1945:	. . . . .	19,18,218
Release upto March 31, 1946	. . . . .	4,86,000
Release from April 1 to Sept. 30, 1946	. . . . .	5,29,000
Release from Oct. 1, 1946 to Apr. 1947	. . . . .	4,88,000
Strength in service on Apr. 1, 1947	. . . . .	4,15,218

The war came to an unexpectedly sudden end after the dropping of atom bombs on Japan and this found the provincial governments, the Indian states and some concerned departments of the Government of India unprepared to adjust their resettlement, re-employment and other plans to suit the demobilization policies of the War Department. It was, therefore, decided that demobilization should proceed slowly in the early stages and should commence about November 15, except for semi-trained recruits and certain other categories in training centres and depots in whose case it was to begin on October 1, 1945.

Thus although the original estimates of the rate and speed of demobilization proved to be too optimistic, demobilization on the whole worked smoothly and the discrepancy between the target aimed at and achieved by July 1947, was not considerable.

The following table shows the gradual variation in the actual strength of Armed Forces from July 1945 to July 1947 :

**Actual Strength Of Armed Forces: July 1945  
to July 1947**

	Indian Army	British Army	Royal Indian Navy	Air Forces in India and ALF- SEA (RAF and RIAF)	Indian States Force Units in India Command ALFSEA and Over- seas
July 1, 1945 . . .	2,049,203	226,130	37,863	207,632	41,463
	100%	100%	100%	100%	100%
October 1, 1945 . . .	2,015,763	249,632	37,109	211,955	41,304
	98.3%	110.4%	98.0%	102%	99.6%
January 1, 1946 . . .	1,835,812	239,472	31,261	214,902	32,013
	89.5%	106%	82.5%	103.5%	77.2%
April 1, 1946. . . .	1,682,773	197,897	23,960	188,463	17,313
	82.1%	87.5%	63.0%	90.7%	41.7%
July 1, 1946 . . . .	1,353,486	149,322	19,882	137,076	7,788
	66.5%	66.0%	52.5%	66.0%	18.7%
October 1, 1946 . . .	1,128,588	118,176	18,109	58,324	4,582
	55.0%	52.3%	47.8%	28.0%	11.0%
January 1, 1947 . . .	883,692	48,485	16,821	49,666	2,101
	43.1%	21.5%	44.4%	23.9%	5.0%
April 1, 1947 . . . .	624,013	37,983	15,838	39,063	—
	30.4%	16.7%	41.0%	18.8%	—
July 1, 1947 . . . .	507,422	29,972	15,001	33,463	—
	24.2%	23.2%	39.6%	16.1%	—

NOTE: The figures include Officers, BOR's, VCO's, WO's, or equivalent, non-combatants enrolled, and all other categories *e. g.*, Boys Nurses, WAC(1) and Civilians.

**Army of Free India :** The announcement on June 3, 1947 that the British power in India would be transferred to the successor dominions of India and Pakistan on August 15, 1947 led to the constitution of a Special Committee of the Interim Government to "conduct and coordinate detailed investigations at expert level on various problems arising from the partition of the country". Ten expert committees were set up under the Special Committee, one of which was the "Armed Forces Reconstitution Committee" for splitting up the Armed Forces. After the Punjab, Bengal and Sind legislatures had finally voted on June 26 in favour of partition, the Special Committee was replaced by a Partition Council with basically the same composition. This Council, the highest organ for settling all problems arising from the proposed partition, decided on June 30 that all matters relating to the division of the Armed Forces should be dealt with by a Joint Defence Council consisting of the two Governors-General, the two Defence Ministers and the Commander-in-Chief (of undivided India) after August 15. Till then the Partition Council itself would function as the Joint Defence Council. The Commander-in-Chief of

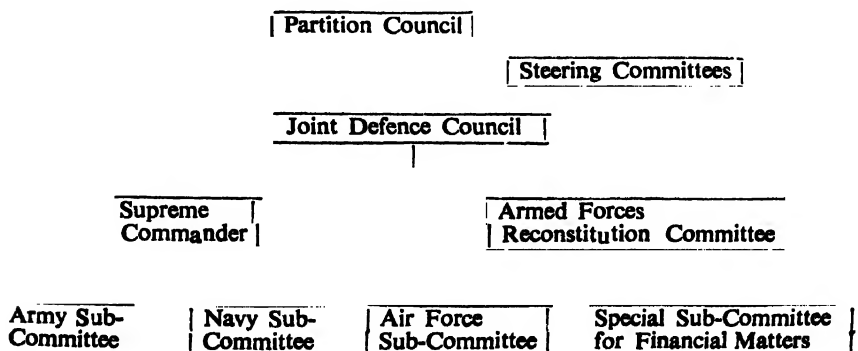
undivided India was renamed the Supreme Commander. Since Jinnah wished to absent himself from the Joint Defence Council to be able to attend to other matters relating to the birth of the new State of Pakistan, the composition of the Council was to be as under :—

(1) The Governor-General of India (Lord Mountbatten)	Independent Chair- man
(2) The Defence Minister of Pakistan	} Members
(3) The Defence Minister of India	
(4) The Supreme Commander	

The Defence Secretaries of the two dominions acted as joint secretaries of the Council to see to the implementation of its decisions. In case of disagreement in the Joint Defence Council, the Partition Council was to decide the matter.

The Joint Defence Council was thus in control of deciding all matters relating to division of the Armed Forces, their assets and installations etc., but was not concerned with military matters within the borders of either of the dominions. The Supreme Commander had no responsibility for law and order in either dominion, his main task being to supervise the work of reconstitution of the Armed Forces as decided by the Joint Defence Council. He was assisted by three Deputy Supreme Commanders for Army, Navy and Air Force matters respectively. Under the Joint Defence Council was one of the expert committees called the Armed Forces Reconstitution Committee under which in turn were four sub-committees to work out the details.

The machinery for division of the Armed Forces may be represented in the following chart :



The Sub-Committees worked smoothly and the work of the first three of them was finished within a few weeks after August 15, but the fourth Sub-Committee (for financial matters) continued a little longer.

Three separate military accounts offices were set up from October

1, 1947, and subordinate accounts offices which were functioning on territorial basis were appropriately allocated to each dominion. Thus the Controller of Military Accounts, Northern Command, went to Pakistan and those of Eastern and Southern Commands to India.

**Division of Forces :** The units were divided roughly on a communal basis—those with a Muslim majority being sent to Pakistan immediately. Those having a mixed composition were split up, the personnel being given the right to opt for either dominion, with the condition that Muslims belonging to Pakistan areas would not opt for India and non-Muslims from Indian areas would not opt for Pakistan. Those unwilling to join either dominion were allowed to resign and given compensation. The equipment and weapons in use were to be divided roughly according to the proportion of personnel going to each dominion. The huge stocks in reserve and in ordnance factories were, however, divided only after protracted dissension and argument. Fifteen infantry regiments were given to India and eight to Pakistan (excluding Gurkha Units). Twelve Gurkha battalions came into the Indian Army and eight chose to serve Britain. The other units (armoured, artillery etc.) were divided on the same lines. In the case of the Navy the strategic needs of each dominion were kept in view and in the case of the Air Force the special needs of Pakistan for controlling N.W. Frontier were taken into consideration. The final division in respect of the Army was as follows :

	India	Pakistan
Armoured Corps Regiments . . . . .	12	6
Artillery Regiments . . . . .	18	8
Infantry Battalions . . . . .	76	33
	+ 12 Gurkha	

Ordnance factories were left to the dominion in which they happened to be situated. Since all of them were in India, Pakistan was given a monetary compensation. Training institutions were split up where possible, otherwise personnel of India and Pakistan were to continue their joint training till training facilities became available in their own dominion. But on account of communal riots after partition, the joint training came to an abrupt end by October 1947.

Since there was an acute shortage of qualified Indian officers of requisite seniority, particularly in the technical service, due to the late Indianization, British officers were invited to continue serving in Indian or Pakistani forces on contract. Some 2,800 British officers volunteered to do so till December 31, 1947. The Supreme Commander's Organization ceased to exist from December 1. The work of the Joint Defence Council was completed in the first three months of 1948 and

it was wound up from April 1, 1948.

As a result of the country's partition, one third of the old combined Indian Army and a large number of training centres and cantonments went to Pakistan. The composition of the units suffered a drastic change and many of them remained under strength.

**Integration of the Indian States Forces :** Before independence the Indian States Forces were controlled by the Government of India through the Political Department with the help of a Military Adviser-in-Chief under whom were a number of military advisers for groups of states. The Indian States Forces consisted of three types of units in 1939 :

- (i) Field Service Units—equipped and trained almost like the Indian Army units and meant to be placed at the disposal of the Crown in time of emergency. These received free arms from the Government of India.
- (ii) General Service Units—not fully equipped but well trained and capable of field service if given the necessary equipment. Given arms at cost price by the government.
- (iii) States Service Units—trained and equipped for internal security duties only and having no modern weapons.

The whole position of the Indian States Forces had to be reviewed after independence in the context of the Instrument of Accession signed by the states. The Military Adviser-in-Chief's organization was abolished and from November 1, 1947 a Military Adviser for the states began to function at Army Headquarters as a temporary measure. But from April 1, 1948, the States Ministry (successor of the Political Department) took charge of the Military Adviser's Organization. On the total integration of the states' administrations with the rest of the India, the states' armies were also integrated with the Indian Army. The States Forces were subjected to a process of thorough screening, and re-equipment before being merged with the Indian Army. Those who were reduced or discharged were helped to find alternative employment. Due to widely different types of systems of organizations of the States Forces, the steps leading to integration varied from state to state but, by April 1951, the process was completed and there was only one unified army for the whole of India.

From that date onwards, organizational changes were carried out at various levels, deficiencies removed, training facilities improved from time to time to make the Armed Forces strong, more mobile and effective, particularly during the sixties. The result of all these improvements and augmentation is that in terms of military power India had, by 1972, the fourth largest Army, the fifth largest Air Force and eighth or ninth largest naval force in the world. As a conventional military

force the Indian Armed Forces are among the leading ones of the world today.

**Navy :** The East India Company necessarily began its existence as a maritime trading body, but its ships soon became vassels of war as well. The Company's naval force performed its duties with great efficiency and distinction. It fought with the Portuguese, the Dutch, and the French, and with pirates and slave traders in every eastern sea. It cooperated with the Royal Navy on various occasions ; and an Indian naval squadron was for some time associated with that Navy in the China seas.

**Royal Indian Marine :** The Indian Navy was abolished in 1862, for reasons of economy, and because it was thought that the naval defence of India should be entrusted to the Royal Navy. The Bombay Marine was then created, and was eventually amalgamated with the Bengal Marine in 1877 under the title of 'Her Majesty's Indian Marine', changed in 1892 to 'Royal Indian Marine'. Its duties consisted of the local transport of troops and stores, the guarding of convict settlements, the suppression of piracy, marine surveys, and the protection of the ports. In 1891, the turret ships, torpedo vessels, and gunboats belonging to the Indian Marine were transferred to the Admiralty. The Indian Marine developed in the course of years into a highly efficient force, which did admirable service in numerous expeditions overseas and in scientific surveys. Its officers were appointed by the Secretary of State, from qualified officers of the mercantile marine ; they held rank as in the Royal Navy up to that of Commander, and wore a somewhat similar uniform.

The fleet consisted, in 1904, of eleven sea-going vessels (troopships, surveying vessels, and a dispatch boat), four inland river steamers, and many smaller steamers and launches; and armaments were available for the equipment of the vessels for war and service. There were excellent dockyards at Bombay and Calcutta. The service had at its head a Director, usually a naval officer, with headquarters at Bombay, and a Deputy-Director at Calcutta. Officers of the Indian Marine were also employed as Port Officers at the various Indian ports. The trooping between India and England was carried out mainly by hired transports, Indian Marine vessels also being occasionally used. India paid a subsidy of £100,000 annually for the up-keep of certain ships of the East India squadron, which were not to be employed beyond particular limits except with the consent of the Government of India.

**First World War :** During the First World War (1914-18) the Royal Indian Marine ships carried troops and other war materials to Egypt, Iraq and East Africa. The Royal Indian Marine Ship, the *Hardinge* on patrol in the Suez Canal fought a gallant action when the



Turks attempted to block the canal. She was badly damaged but was able to prevent the blocking of the channel. The Royal Indian Marine also played a leading role in landing troops in Mesopotamia and its small river craft did very useful work on the Euphrates and Tigris rivers. The *Northbrook*, *Minto* and *Dufferin* were in the Red Sea on patrolling duty. The *Minto* called at Jeddah and brought the Haj pilgrims safely back to India.

**Reversion to Non-Combatant Status :** At the end of the First World War, the Royal Indian Marine reverted to its peacetime non-combatant role. After the war, when Admiral of the Fleet, Lord Jellicoe, was on a visit to India, the government asked him to draw up a scheme for the reorganization of the Marine. He made proposals which were considered too costly to be implemented. The Esher Committee which reported on the Indian Army strongly recommended the reorganization of the Royal Indian Marine as a combatant service. In 1920, the Government of India obtained Rear Admiral Mawby from the Admiralty, to draw up, as Director of the Royal Indian Marine, suitable plans for reorganization but his scope was limited and his scheme was finally rejected. Following the report of the Inchcape Committee, the drive towards retrenchment converted the service into a yacht squadron for high officials, with hydrographic, buoyage and lighting duties paid for by the local governments. The Inchcape Committee recommended the scrapping of troopships, the carrying of troops by contract and the virtual reduction of the Marine to a Survey Department and a dockyard. In this way, lack of appreciation by the government of necessity of building up a group of experienced officers and men by constant peacetime training and operations, was responsible for practically throwing away a number of experienced seamen ready at India's hand at the close of the war, upon which a sound and flexible system capable of rapid expansion in an emergency might have been built. This was an index of official indifference to the development of an Indian Navy and may be explained only by their complete dependence on the Royal Navy to guard the oceanic highway and the coast-line of India.

The Royal Navy continued to guard the coast-line of India for which as mentioned earlier, a sum of £ 100,000 was paid annually. It was not anticipated that the Royal Navy might some day be left alone to contend with the German and Italian fleets and to guard the seas of the world at the same time. It was also not foreseen that a war might threaten India from the east.

**Rawlinson Committee :** Following the rejection of his scheme of reorganization, Rear-Admiral Mawby resigned his appointment as Director of the Royal Indian Marine and returned to the United King-

dom, where he registered a strong protest. Subsequent to this, in 1925, a departmental committee was appointed by the Government of India with Lord Rawlinson, Minister of Defence and member of Council in-charge of the Defence portfolio, as its Chairman, with the purpose of submitting a scheme for the reorganization of the Service as a combatant force. The scheme put forward by the Committee was for (i) reorganization of the Service as a purely combatant force with the title of the Royal Indian Navy, (ii) an initial strength of four armed sloops or escort vessels, two patrol vessels, four mine sweeping trawlers, two surveying ships and a depot ship and (iii) the whole to be commanded at first by a Rear-Admiral of the Royal Navy. This was accepted by the Indian and British Governments and an Act was passed through both Houses of Parliament to permit India to have a Navy.

The Royal Indian Marine was thus restored to combatant status in 1928, but the full recommendations of the Rawlinson Committee could not be complete without the enactment of a new Indian Naval Discipline Act. Even then, the financial administration of the Royal Indian Marine left much to be desired. The sum at the disposal of the Defence Department, moreover, was barely sufficient for the defence requirements, with the result that any proposals from the Royal Indian Marine had to be considered not merely from the point of naval defence but in the light of the money available for the total defence of India in which the Army played a major role at the time.

Recruitment to the Royal Indian Marine at this stage was open both to the Indians and the British but, in practice, very few Indian officers joined the service.

The new Indian Naval Discipline Act was introduced as a Bill in February 1928, but failed by one vote to pass the Assembly. In February 1934, the Bill was introduced again with a few minor amendments, and was finally passed in August 1934, both by the Assembly and the Council of State.

**Royal Indian Navy :** On October 2, 1934, the Royal Indian Marine ceased to exist and the Royal Indian Navy (RIN) was inaugurated. Though progress in respect of various plans was painfully slow, yet during the five years before the outbreak of the World War II the RIN was gradually taking shape as an efficient, *albeit* small combatant naval force. It was also realized by 1938, in view of the worsening international situation, that absolute reliance for the defence of Indian shores on the Royal Navy in emergency would not be possible as the latter would have its hands full in the western waters particularly around the British Isles. The threat to the inviolability of the Indian seas from the East in case of war with Japan

was also not ruled out. Consequently, the British government agreed to forego the annual subvention of £ 100,000 and certain miscellaneous annual charges from April 1, 1938, on condition that India maintained a sea-going squadron of not less than six modern escort vessels to cooperate with the Royal Navy in defence of India, and that India would, in addition, undertake the responsibility for the local defence of Indian ports. India agreed and submitted a plan of extensive expansion to be completed in nine years. The Chatfield Committee (1939) adopted it with the recommendation that it should be implemented in five years. With these new developments, the stage was set for the building up of a real navy looking after the defence of the country, though to a limited extent, mainly to ward off local threats and as a subsidiary wing to the Royal Navy. The strength of the RIN as on October 1, 1939, was 5 sloops (three of them commissioned before 1922), 1 survey ship, 1 patrol vessel and 1 steam trawler, with a total personnel of 1,846 excluding civilians.

**The World War II :** The World War II came in 1939 and compelled extensive expansion, much of it without any previous planning or organization, to meet the immediate requirements. The Chatfield recommendation to arm the merchant ships was adopted and new types of vessels were added to the fleet for affording protection to the Indian ports and the sea alleys leading to them. The Eastern Fleet of the Royal Navy was there in the background, but the local naval defence was the responsibility of the Royal Indian Navy which was strengthened for the purpose. This Service did undertake combatant duties as well and rendered commendable service in the Middle East and the Bay of Bengal. Its vessels operated in the European waters also, both in the Mediterranean and the Atlantic. Perhaps the most important and earliest combatant assignment was in the Red Sea and the Indian ships took an active share in the capture of Massawa from the Italians and in fighting the Italian Navy on the coast of Somaliland. So also did they operate with success in the Persian Gulf, where their duties related largely to patrolling the coast and escorting the supply ships. In the period after the entry of Japan into the war, Burmese waters became the primary field of the activity of the Royal Indian Navy. It took part in patrolling, and cooperated effectively in combined operations and attacks against Akyab, Kaladan, Myebon, Kyaukpyu (Ramree Island), Cheduba Island, Ruywa, etc., during the Arakan campaign. Movements through tricky chunks and along the highly indented coastline of Arakan were full of hazard, but the Indian Navy did not flinch from duty and gave a magnificent display of valour and skill. Later, in the final assault on Rangoon from the sea in the beginning of May 1945, (operation Dracula) many vessels of the RIN took part. The

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Indian officers, though few in number, and the Indian ratings, all rose to the occasion.

Though Burma had been reconquered in May 1945, the Japanese were still in occupation of Malaya and certain other places in South-East Asia which covered the approach to Singapore and guarded the way to the Malacca Straits—the gateway to the South China Sea and the shortest route from India to Japan. Operations designed to liberate these territories had been planned in which a considerable number of ships and minesweepers of the RIN were also to take part. In fact some preliminary moves were well underway in the waters between the Nicobar Islands, the Malay Peninsula and the northern tip of Sumatra in July 1945 when Indian minesweepers were active in the area and personnel of the Landing Craft Wing having undergone strenuous training were looking forward to the D-Day which, however, never came, as the war against Japan was brought to a sudden end on August 15, as a result of the dropping of atom bombs on Hiroshima and Nagasaki.

Before the war the Indian Navy had suffered from the apathy of the rulers and had a very secondary role in the defence of the country. Indianization of the officer ranks was a slow process. But the exigencies of the war had placed heavy responsibilities on its young shoulders and in the process of fulfilling the obligations, the Service had developed and acquired experience. Indianization had proceeded and many other important changes and improvements had been effected, so that by the end of the year, the Navy had attained maturity and built up a structure which made it worthy of playing a vigorous role in the future. The Royal Indian Navy as on July 1, 1945, had a total personnel strength of 30,478, excluding civilians. The officer position (borne strength) of Indian and British Commissioned and Warrant Officers as in September 1939, and September 1945, was as under :

3-9-1939: Indian 76; British 122	} . . . . . Regular and Reserved
1-9-1945: Indian 1,542; British 1,439	

It is clear from these figures that Indianization had made substantial progress in the RIN during the war years. Whereas at the beginning of the war the number of Indian officers was a little over half of the British, at the close of war there were more Indian officers than British. But this satisfactory position was due largely to the predominance of Indians in the warrant officers rank. The number of Indians in the senior ranks of the Service (Commander and above) was still woefully small, only two Indians having reached that rank throughout the war years.

**Naval Headquarters :** In 1939, when the war began, the Headquarters of the tiny RIN was confined to the dockyard area in Bom-

bay, and was organized on the lines of a naval squadron afloat, though it remained permanently ashore. The Headquarters, under the Flag Officer Commanding Royal Indian Navy (FOCRIN) was staffed with only 16 officers at that time. After 18 months of war it was realized that the FOCRIN would have to be stationed in New Delhi, the seat of the Government of India and the Headquarters of the other two Services. However, on account of difficulties of accommodation at Delhi only a part of the staff was transferred to Delhi in March 1941. Some other offices were transferred to Delhi from time to time as need arose, but a few departments of the headquarters continued to function in Bombay.

The expansion of the Service and needs of the war necessitated a general reorganization in July 1943. One of the objects of the change was to approach more closely to the organization of the Admiralty in the UK as far as possible. A further minor reorganization took place in 1944. In 1945 when the end of war was in sight, a post-war planning directorate, and a demobilization and resettlement section were added. After August 15, 1945 a process of retrenchment and contraction was proceeded with vigorously, and peacetime establishment for Naval Headquarters was worked out and a phased reduction of temporary officers and ministerial staff effected by the end of 1946. This paved the way for the setting up of a permanent peacetime establishment for Naval Headquarters.

Even after the war came to an end in August 1945, the RIN had a busy time for the next two years. These activities, briefly speaking, related to the following matters :

- (i) operations to clear British and Japanese minefields around Singapore and in the Malacca Straits in company with units of the East Indies Fleet before the Supreme Allied Commander South-East Asia, Lord Louis Mountbatten, received the Japanese surrender at Singapore ;
  - (ii) reoccupation of Andamans and other islands ;
  - (iii) supply of equipment and food to the newly liberated territories of South-East Asia ;
  - (iv) evacuation of released Allied prisoners of war and internees from Japanese camps ; and
  - (v) transporting home of servicemen due for release, etc.
- Administrative matters also engaged its attention, such as demobilization of temporary employees, release of merchant shipping from naval service to their rightful owners, and other problems connected with returning to peace time conditions. The total strength of the RIN personnel (including all ranks and categories, civilians etc.) which stood

at 37,863 on July 1, 1945, was brought down to 15,001 on July 1, 1947, representing a reduction of more than 60 per cent.

**The RIN Revolt (1946) :** An event worthy of note which occurred in the period between the close of hostilities and the partition of the country was the RIN ratings' revolt which took place in February 1946. There were nine minor cases of revolt in the RIN from March 1942 to April 1945, both on ships afloat and shore establishments, but they were nothing as compared to the widespread movement of February 1946. Still, the wartime revolts have a bearing on the revolt of 1946 inasmuch as they bequeathed a state of discontent and indiscipline which erupted in the post-war period. A detailed account of the revolt can be read in the report of the Commission of Enquiry appointed by the Government of India in April 1946, a summary of which is published in the Gazette of India (extraordinary) dated January 21, 1947.

Immediately after the revolt, steps were taken to meet the grievances as far as possible, and the process was continued after the report of the Commission of Enquiry. The political causes were automatically removed by India after attaining independence and at present the Indian Navy is a well contended and disciplined body wherein officers and men have close contact and understanding of each other.

**Partition and After :** On August 15, 1947, constitutional changes of great magnitude took place when the country was partitioned into two self-governing Dominions of India and Pakistan. In anticipation of this a naval sub-committee had been formed on July 1 to make recommendations regarding the division of assets and liabilities of the undivided Service. On the recommendations of this Committee the Partition Council allocated the following ships to India and Pakistan respectively :

	INDIA	PAKISTAN
SLOOPS	HMIS <i>Sutlej</i> " <i>Jumna</i> " <i>Krishna</i> " <i>Cruvery</i>	HMPS <i>Narbada</i> " <i>Godavari</i>
FRIGATES	HMIS <i>Tir</i> " <i>Kukri</i>	HMPS <i>Shamsher</i> " <i>Dhanush</i>
CORVETTES	HMIS <i>Assam</i>	
MINE SWEEPERS	HMIS <i>Orissa</i> HMIS <i>Carnatic</i> " <i>Deccan</i> HMIS <i>Rajputana</i> " <i>Bihar</i> " <i>Konkan</i> " <i>Kumaon</i> " <i>Bombay</i> " <i>Khyber</i> " <i>Bengal</i> " <i>Rohilkhand</i> " <i>Madras</i>	HMPS <i>Kathjawan</i> " <i>Baluchistan</i> " <i>Malwa</i> " <i>Oudh</i>
SURVEY VESSEL	HMIS <i>Investigator</i>	

TRAWLERS	HMIS	<i>Nasik</i>	HMPS	<i>Rampur</i>
	"	<i>Calcutta</i>	"	<i>Baroda</i>
	"	<i>Cochin</i>		
	"	<i>Amritsar</i>		
MOTOR MINE-SWEEPERS		130		129
		132		131
		151		
MOTOR LAUNCH		154		
		420		
HARBOUR DEFENCE		1110		1261
MOTOR LAUNCHES		1112		1262
		1117		1263
		1118		1266

On August 15, 1947, the Headquarters of the Commander-in-Chief of the undivided Royal Indian Navy was split into three District Headquarters :

- (i) Supreme Commander's Headquarters (Navy) under the Deputy Commander (Navy) located in Delhi ;
- (ii) Naval Headquarters (India) under the Flag Officer Commanding, Royal Indian Navy located in Delhi ; and
- (iii) Naval Headquarters (Pakistan) under the Flag Officer Commanding, Royal Pakistan Navy, located in Karachi.

The Flag Officer Commanding, Royal Indian Navy, with a nucleus staff of six officers and eighteen clerks assumed responsibility for the operational control of the reconstituted Royal Indian Navy from this date, and immediately started planning the reorganization of the Service. The principal function of the Supreme Commander's Headquarters (Navy) was then to turn over the remaining subjects to the two new Dominion Headquarters with the minimum disruption and as expeditiously as possible. This task was completed on November 30, 1947, when the Headquarters of the Deputy Supreme Commander (Navy) closed down and Naval Headquarters (India) took over complete responsibility for the Service.

At that time, the Naval Headquarters was organized in two main departments, Naval Staff and Naval Administration under the Chief of Staff and Chief of Administration respectively.

Partition and the consequent reconstitution of the Armed Forces had left the Indian Navy with an unbalanced cadre and had deprived the Service of many of its finest training establishments which were located in Karachi. During the first year of independence the Naval Headquarters had, therefore, to concentrate on solving these and many other problems arising from partition. Much attention had also to be devoted to planning and laying the foundations for a well-balanced Task Force. The burden of reorganization naturally fell on the few senior officers available.

On January 15, 1949, Naval Headquarters was reorganized into

five main departments each under a Principal Staff Officer :

Deputy Commander-in-Chief and Chief of Staff,

Chief of Personnel,

Chief of Administration,

Chief of Material, and

Chief of Naval Aviation.

Later certain other changes were made and a full fledged secretariat in Naval Headquarters modelled on the secretariat of the Admiralty and of a Royal Naval Command was set up in 1949-50 to function under the naval Secretary who ceased to be personal secretary to the C-in-C. From that time onwards the story of the Indian Navy has been one of gradual but steady expansion, consolidation and improvement in all spheres.

**Change in Name :** From January 26, 1950, when the new Republican Constitution of India was inaugurated, the prefix 'Royal' wherever it occurred in the Service was discontinued, and so was the use of the words "His Majesty's". From that date the RIN became the Indian Navy (IN) and His Majesty's Indian Ships simply Indian Naval Ships (INS). Their crests and mottoes were also changed and almost all were given new mottoes in Sanskrit or Hindi. For example when the cruiser HMS *Achilles* was acquired from the Royal Navy in July 1948, it was renamed HMIS *Delhi* and from January 26, 1950, INS *Delhi*. Later, its Latin motto '*Delecta son Deleta*' was replaced by a Sanskrit one '*Sarvato Jayamichchhami*' meaning "I desire victory everywhere".

**Post-Independence Modernization and Expansion :** After 1947 the main task of our Navy has been to ensure adequate defence of our long coast-line and island territories and also arrange for the surveillance and protection of our territorial interests and off-shore wealth. This meant further augmentation of the fleets and other maritime forces, besides increased provision for repair, maintenance and logistic facilities.

The plans for modernization and augmentation of the Fleet Units and other facilities are reviewed from time to time with a view to balancing these with the threat assessment, on the one hand, and the country's economic and resources position, on the other.

**Acquisition New Ships :** To make up for the loss of ships suffered consequent on a division of the RIN fleet at the time of the partition and due to the increased responsibilities of the Navy resulting from the ceasing of the duty of the Royal Navy to protect the Indian shores, it became necessary to acquire new ships of all types. Cruisers, destroyers, frigates (including some anti-submarine frigates), self-propelled oil barges, tankers, minesweepers, survey ships, tugs etc. were added to the Indian Navy from time to time either by construction in Vishakha-



patnam, Calcutta and Bombay or by acquisition from the Royal Navy or construction in Great Britain. Thus while some new ships were commissioned, some old ones were decommissioned, recommissioned or converted for uses other than the original purpose. But perhaps the most important event in this respect was the acquisition from the UK of the 19000-ton aircraft carrier, the *Vikrant* which was commissioned on February 16, 1961, and joined the fleet in November 1961. The required aircrafts for the carrier including Seahawks and some other types were also acquired. The *Vikrant* has now Seahawk jet fighters, Briguet Alize reconnaissance and anti-submarine aircraft and Alouette sea-air rescue helicopters. The carrier has an angled deck and is equipped with a steam catapult, mirror landing aids and two electrically operated aircraft lifts.

**Changes After 1965 :** It was only in the latter half of the sixties that the Navy went full steam ahead in the fulfilment of its legitimate role in the defence preparedness of the country.

The year 1966-67 marked the beginning of the Defence Plan. A phased programme was taken in hand for the replacement of ageing ships by modern ones, construction of various types of ships in Indian yards and development of India's underwater capability.

Some conventional types of submarines, fitted with modern equipment, have since joined the fleet. To keep the submarines fighting fit with facilities for repair and supply of water, fuel and torpedoes, the depot ship, *INS Amba*, was acquired. Taking into account the threat the country is likely to face in future, the submarine arm is progressively being strengthened.

**Organization :** A restructuring of the higher echelon of Naval Headquarters was carried out in early 1973. Reorganization has been carried out, down to the unit levels with a view to making the Navy a more efficient and effective-force. The command and control structure of the Submarine Army has been rationalized through the formation of squadrons. A separate wing has been constituted to oversee the maintenance and safety aspects of submarines and their operations. A Directorate of Management Services at the Naval Headquarters to organize work-study, statistical analysis and operational research, has been set up recently.

**Missile Era :** The Navy acquired in early 1960 multi-purpose ships. It also has in addition another two frigate squadrons one being an anti-aircraft squadron and another the anti-submarine squadron. The Navy entered into the missile era when it acquired a squadron of missile boats. A new establishment, *INS Agnibahu*, which would cater to the logistic and maintenance requirements of the missile boats squadron has been commissioned recently. In addition, a few seaward

defence patrol boats constructed in Indian shipyards and a few police boats have been added to the fleet.

**Progress on the East Coast :** A big maritime base at Vishakhapatnam was practically of no use at the dawn of independence because the navy was too small to acquire many shore bases. During May, 1971, the submarine base INS *Virbahu* was commissioned with a view to providing logistic facilities and administrative support to submarines of the Indian Navy. The base will also provide facilities for carrying out maintenance and repair of submarines. In addition, it can conduct trials and work up the submarines to ensure high level of operational efficiency.

The results were evident in the 14-day conflict with Pakistan in December 1971 which proved beyond doubt that the Indian Navy has built itself into an efficient fighting force. Our Navy is proud of its achievement as a major naval force between the Straits of Malacca in the East and the Persian Gulf in the West. It is these ships of the Indian Navy which successfully and effectively blocked all ports in East Pakistan (now Bangladesh) and West Pakistan, sank several enemy ships and submarines and helped to keep our sea-lanes clear for the merchant shipping during the entire period of the war. The contribution of the Navy in the liberation of Bangladesh speaks volumes for its progress through the years.

**Frigate Class Ships :** The keel of the first frigate INS Nilgiri was laid in 1966. The ship was launched by the then Prime Minister in October 1968, and commissioned into the naval fleet by her on June 3, 1972. This 2,400 ton anti-submarine, all-purpose frigate is one of the most modern and sophisticated warships of its type. Armed with anti-aircraft missiles and its own submarine hunter-killer helicopter, this frigate is also equipped with highly developed radar and sonar systems. The second frigate of the series INS *Himgiri* was commissioned into the naval fleet on November 23, 1974 and the third INS *Udayagiri* on February 18, 1976.

Some more such frigates are on order at the Mazagon Dock and will join the fleet at regular intervals. With a view to achieving the maximum indigenous content in these frigates, public and private sectors are extending a great deal of cooperation. By way of a balance, a number of other types of ships and smaller crafts have been added. More of these types of craft are under construction at Garden Reach Workshops.

**Training :** Providing facilities in the country at Vishakhapatnam was yet another significant step taken by the Navy towards achieving self-sufficiency and self-reliance in the matter of training. This training was earlier done abroad. This has resulted in the savings of a substantial amount of foreign exchange in the country besides

cutting down the period of training.

A permanent site for the training of boys in Orissa has been selected and construction work is in progress.

New training centres with modern equipment have been set up at Cochin, Vishakhapatnam, Bombay, Jamnagar and Goa. Some of the old establishments have been revamped and expanded. Steps have also been taken to set up a number of training centres for the personnel of *INS Garuda*.

Technical training of electrical officers and sailors is now being undertaken at the Navy's electrical establishment *INS Valsura* at Jamnagar. To meet the increased commitments due to expansion of the fleet and rapid technological developments that have taken place during the last two decades, *INS Valsura* has expanded progressively over the years and fully caters to this demand. The Naval College of Engineering at Lonavala conducts marine engineering courses.

*INS Kunjali* located at Bombay and *INS Hamla* at Marve also are meeting the training requirements of the men of the regulating branch and the Central Naval Band and of the officers and the sailors of the logistic, administrative and catering branches.

The Chief of Naval Staff's annual exercises and the good-will visits by the naval ships are regular features to keep the naval fleet in a state of readiness.

The Indian Navy which had only some corvettes, sloops and minor naval crafts in 1947, acquired the status of three dimensional naval force when it acquired submarines to extend its sphere of activities below surface of the ocean. Today the proud Indian Navy consists of a balanced fleet.

**Indian Air Force :** The first serious use of aerial warfare was made during the World War of 1914—18. In the early stages of that war, the Germans sent their Zeppelins for dropping bombs over London. Small dirigibles for coast inspection were also used. Both these were of lighter-than-air variety and were soon superseded by heavier-than-air aircraft. In the beginning their role was mainly, almost entirely, that of reconnaissance of the enemy positions and ranging own artillery. To counter this dual activity, two defensive measures were adopted, one on the ground and the other in the air. While on the ground the art of camouflage or concealment was developed, in the air smaller and faster aircraft, fitted with machine guns, were sent up to shoot down or drive away the reconnaissance aircraft of the enemy. These were the predecessors of the modern fighters. Soon both sides began to use both types of aircraft, the heavier and slower ones for bombing and reconnaissance and the lighter ones for providing a protective cover for these and for fighting

the enemy fighters. This naturally resulted in some air battles between fighters of the opposing sides quite independent of land operations. Later, an important tactical use was made of the air power by attacks on troops by low flying aircraft using machine guns, and higher-flying planes using bombs. Strategic and industrial targets were also bombed. Another important development was the use of aircraft for transporting troops and supplies.

Though the air power proved in no sense decisive during the First World War, its immense potentialities were recognized and during the intervening period all western countries made great improvements in the speed, range, size and lifting-power of aircraft. Nothing, however, was done in India in this respect as there was neither an aircraft industry nor an Indian Air Force. The air needs of the country were satisfied by the planes of the Royal Air Force.

**Beginning of Aviation in India :** The first few flights ever made in India were by private enterprise in 1912. These ended in disaster to the aeroplane, but bore fruit in directing attention to the military potentialities of the new arm, resulting in the preparations to form an Indian Flying School in the barracks of the deserted cantonment at Sitapur. The staff was provided by some officers of the Indian Army who had learnt to fly at their own expenses while on leave in England and had also completed a course with the Royal Flying Club at Farnborough. Other necessary materials were imported from England, and all was set for the first course to commence in 1914 when the World War began. The staff and aircraft equipment were all pressed into active service and the school was broken up. Later, this Indian flying unit saw active service in Egypt and Mesopotamia before ceasing to exist as a separate body in the winter of 1915 when all air organization for war was concentrated in the hands of the Imperial Government in the UK.

**Royal Flying Corps in India :** The first detachment of the Royal Flying Corps arrived in India in December 1915. This was one squadron with the nucleus of its Aircraft Park and was located at Naushahra, later shifted to Risalpur. The squadron had intensive training but engaged in no large operation between 1916—18. In the latter years another squadron was formed so that when the war ended the Royal Flying Corps had two squadrons in India with a total strength of 80 officers and 600 men.

In the two years after the close of hostilities, this strength had swollen to eight squadrons of which two served the purpose of bombing or distant reconnaissance mainly on the North-West Frontier, two as fighters and four for army cooperation duties. The force was distributed widely from Bangalore to Quetta and Peshawar and was

backed by an efficient ground organization. During 1921-22, however, the Air Force, too, suffered as a consequence of the post-war financial stringency. Both the fighter squadrons were dispensed with, while appreciable reorganization took place for the sake of economy in the remaining six.

Fortunately, this prior reorganization of the Air Force induced the Inchape Committee of 1922-23 not to recommend any further retrenchments in the case of the Air Force, which continued to have six squadrons, four for army cooperation duties and two as bombers. Of these, five were stationed along the North-West Frontier and one at Ambala with a total establishment of 218 officers, 1,757 British Non-Commissioned Officers and airmen, and 138 Indians.

**Demand for Indian Air Force :** During all this time a persistent demand was voiced in the country that Indians should be freely admitted to all Arms of His Majesty's forces including the Air Force in India. As a result the Skeen Committee of 1925 (popularly known as the Indian Sandhurst Committee) recommended *inter alia* that Indians should be made eligible for employment in the Air Arm of the Army in India and that for this purpose they should be admitted to the Royal Air Force (RAF) College at Cranwell. In the beginning only two vacancies were to be reserved for Indians in Cranwell, to be increased progressively.

The Government of India's decision on this part of the report was that an Indian Air Force should be created, and that six Indians should be trained at Cranwell for 2 years, after which they should spend three months at the Army Cooperation Training School and three with various RAF establishments.

By 1930, six flying clubs subsidized by the government were also functioning in India for training pilots and engineers for commercial aviation. Selection of six candidates for Cranwell was, therefore, not very difficult and the first batch left for England in 1930. All six of them completed their training—five as pilots and one as Equipment Officer.

**Indian Air Force Constituted :** On the return of these Cranwell-trained Indians, the Indian Air Force (IAF) was formally constituted by the Gazette of India notification of October 8, 1932 and came into existence on April 1, 1933, when its first squadron with headquarters and a flight of four Westland Wapiti aircraft was formed at Drigh Road, Karachi. Flight Lieut. (subsequently Air-Vice Marshal) C.A. Bouchier DFC was its first commanding officer. Another flight was formed three years later and a third flight in June 1938. The three flights of the first squadron came together for the first time at Ambala in July 1938 when the squadron was reorganized. The pilots and

aircraft were distributed evenly among the three flights, each being given 3 aircraft and an Indian officer in command. The three officers were Flying Officer A.M. Engineer, Pilot Officer S. Mukerjee and Pilot Officer K. K. Majumdar, the first two of these later rose to be Air Marshal and Chief of the Air Staff in India.

When the war began in September 1939, the Air Force in India comprised the following units :—

- (i) Two army cooperation squadrons at full strength.
- (ii) One army cooperation squadron at one flight strength.
- (iii) Two bomber squadrons.
- (iv) One bomber transport squadron.
- (v) One squadron Indian Air Force.

**Indian Air Force Volunteer Reserve :** The proposal to form an Indian Air Force Volunteer Reserve for coastal reconnaissance and port defence had been under consideration for some time, but could not be given effect to for want of funds. However, in 1939 under the shadow of the gathering clouds of a major war, the idea was accepted and shortly before the outbreak of the war the organization was formed. It had both a regular and a volunteer element and was mainly recruited on a territorial basis and for local defence. The personnel selected were brought to Risalpur for training for coastal reconnaissance work. An RAF squadron was converted into a training unit for this purpose, and an intensive course of flying and navigation was gone through till October 1940 when the pilots and navigators flew to their respective posts.

**Coast Defence Flights :** In addition to the regular Air Force recommended for the local defence of India, the Chatfield Committee had also proposed that five flights should be raised on a volunteer basis for certain duties in connection with coast defence. They were to be raised at Bombay, Karachi, Calcutta and Madras, respectively where they should be developed out of the existing flying clubs. Bombay was to raise an additional flight for duty at Cochin. These flights were placed under a Coast Defence Wing in charge of a Wing Commander with his headquarters in Bombay. A sixth flight was added in March 1942 for duty at Vishakhapatnam after the entry of Japan into the war.

Indian opinion, however, looked upon this slow development with misgiving. It was apprehended that the RAF on whom lay the main responsibility of air defence of India might be so engaged in Europe that any reinforcement from Britain for the defence of India in case of attack would not be possible. Apart from this consideration, it was also strongly felt that India should have an Air Force manned by her own officers. These points were stressed by various speakers in

the Central Legislative Assembly on February 8, 1940, in the course of a debate on a resolution moved by Sir Syed Raza Ali. The mover pleaded for a progressive increase in the number of Indian squadrons. The resolution recommended provision of suitable air training for the Indian youth and the establishment of an Indian Air Force commensurate with the size, population and requirements of the country. The government spokesman (C.M.G. Ogilvie, Defence Secretary), while not opposing the resolution, pointed out that anything in the way of a vast expansion of the Indian Air Force would be absolutely beyond the power of India to attain. The equipment of a single squadron cost Rs. 80 lakhs and its recurring annual expenditure was from Rs. 20 to 25 lakhs. Another factor which was impeding the growth of the IAF was the long-time (about 4 years) it took to train Air Force mechanics to keep the aeroplanes in flying condition. In spite of these limiting factors the government, he said, was doing whatever was possible. As regards the formation of more IAF squadrons the Defence Secretary informed the House that a second squadron would be formed as soon as possible.

By October 1940, No. 1 Squadron had been brought to full strength but the five Coast Defence Flights were in operation at half strength.

In pursuance of the Defence Department programme, No. 2 Squadron was formed on April 1, 1941, at Peshawar. The Squadron was equipped with Wapiti aircrafts. Six months later, on October 1, 1941, No. 3 Squadron was formed at Peshawar. The Squadron was equipped with Audax aircraft, 6 being received in October.

At Peshawar was also formed No. 4 Squadron on February 1, 1942, equipped with Lysanders, the first allotment of 4 aircraft being received on February 16. Some officers were drafted from No. 2 and No. 3 Squadrons. Besides, some pilots trained in England and having experience of operations in England and the Middle East also joined the Squadron.

The proposal to build up six coast defence units to squadron strength was, however, not implemented. Instead, the existing flights were disbanded towards the end of 1942. The personnel of the disbanded coast defence flights were absorbed in the three new squadrons, Nos. 6, 7 and 8 that were formed on December 1, 1942. No squadron was numbered 5 as there was an RAF squadron with that number in India and the existence of two squadrons with the same number might, it was feared, result in confusion. No. 6 Squadron was formed at Trichinopoly, Squadron Leader Mehar Singh, one of the earliest pilots trained at Cranwell being put in command. No. 7 Squadron was formed at Vishakhapatnam and No. 8 at Trichinopoly

(Tiruchirapalli). Both were equipped with Vengeance aircraft.

The formation of further squadrons was delayed by more than a year on account of the non-availability of pilots. This necessitated the inclusion of British officers not only in technical capacities but also for flying duties in the new squadrons. However, No. 9 Squadron started forming at Lahore on January 3, 1944. By January 8, 18 Hurricane II C aircrafts were received. Eighteen pilots who had just completed a fighter course at Risalpur joined the Squadron two days later. By January 17, the Squadron moved to Bhopal. During February more British officers arrived on posting.

The Squadron No. 10, the last to be formed during the war, was also raised at Lahore in 1944. It started forming on February 20, but was not provided with any aircraft until March 14, when 16 Hurricanes were received.

Side by side with this expansion of the Indian Air Force from one squadron in 1939 to nine in 1944, there was tremendous accession to the Royal Air Force units in India, particularly from 1942 onwards when the Japanese threat to India and Ceylon began to loom large. Air reinforcements came pouring into India, but there were inadequate aerodrome facilities, which had consequently to be increased and improved. Plans were made for the construction of 222 modern airfields and this task was given priority. By the end of 1942, 148 airfields were available for use in India. Personnel and machines also arrived, mostly from the United Kingdom and some from Burma which had been completely occupied by the Japanese. Recruitment of airmen and technical men was stepped up, and communications, both of wireless telegraphy and land lines were developed on a large scale. A warning system with the help of newly-arrived units having Radio Direction Finding or Radar equipment was installed to cover Calcutta and other major ports in India and Ceylon. A Balloon Branch was formed and some Indian officers and other ranks transferred from the Army to the Indian Air Force were trained with the Royal Air Force units. Many new schools and training establishments were opened for the training of Indians and for providing refresher courses of all kinds to RAF personnel. By the end of 1942, the India Command had 29 squadrons fully operational and 20 more squadrons at various stages of training, with two transport squadrons and one photographic reconnaissance unit. The number of planes of various makes available had risen to 1,433. The combined strength of the RAF and IAF in India at that time was 3,944 officers and 57,270 other ranks (the latter figure includes civilians and non-combatants).

The build-up of the Air Force in India continued at a fast pace



in 1943, and at the end of the year there were 3,699 service planes available. Of this total about 43 per cent were ready with the squadrons and the rest were with the storage or maintenance units. The personnel strength had risen to 6,531 RAF and 1,125 IAF officers and 1,27,492 other ranks including both civilians and non-combatants. The IAF had eight squadrons by this time.

By the beginning of 1944, the Allies were on the offensive and had won air superiority everywhere. The Indian Air Force was not to be expanded any more, but efforts were made in consolidating the progress made in 1943, and recruitment of Indians that took place was for the purpose of replacing the Royal Air Force personnel who were serving with the Indian Air Force. The strength of the Indian air-men at the close of the war was :

Trained	...	22,345
Under Technical Instruction	...	2,127
In No. 2 Recruits Training Centre	...	2,142

Meanwhile, the strength of the RAF and the United States Army Air Force (USAAF) in India and South-East Asia Command had further increased. Even on August 1, 1945, when Burma had been won back and many squadrons had left the Air Command, South-East Asia, there were 76½ RAF and 9 USAAF squadrons in the area excluding those based in China. On July 1, 1945, a few weeks before the end of the war, the IAF and RAF in the theatre had the formidable strength of 2,07,632 officers and men, made up as follows :

IAF Officers	...	1,638
Indian Other Ranks	...	26,900
Non-combatants enrolled	...	13,727
Non-combatants unenrolled	...	26,469
Cadets, Civilians, WAC(I) etc.	...	6,991
RAF Officers	...	13,225
British Other Ranks	...	1,18,682

**Operations 1939—45 :** Initially the Indian Air Force had seen some service in the North-West Frontier, but after the Japanese had conquered Burma and had even occupied certain parts of India (in Assam) the force was mainly used in the Burma operations. In the fighting on the Arakan coast it played a distinguished part, but its most valuable work was in the defence of Imphal and Kohima. When Kohima was besieged by the Japanese, there was no way of supplying the garrison by land. The Indian Air Force along with other Allied Air Forces undertook the task of flying supplies and dropping their

loads of food supplies, ammunition, etc., to the hard-pressed garrison through a storm of Japanese shells and bullets. Later when the battle for Imphal and Kohima had been won in the summer of 1944, the Indian Air Force helped in pushing the Japanese out of Indian territory into Burma and then out of Burma itself. In these operations it cooperated with the Royal Air Force and USAAF and the American Volunteer Group. In recognition of its services in Arakan the IAF was given the title of "Royal" (RIAF) and from that time may be regarded as having attained maturity. By 1944, when the squadrons of the Indian Air Force had been given more trained officers and modern machines, it was no longer an infant service performing Army cooperation role only—it had built up a bomber force and creditably performed tasks ranging from reconnaissance to bombing, combat fighting and pursuing enemy planes.

**Indianization** : The Indian Air Force Act of 1932 had laid down that only Indians would be eligible for commission in this force. This force was thus the only purely Indian Service, though of necessity some RAF officers were often seconded or attached to it. When the war started there were only 14 officers holding regular commissions in the Indian Air Force. During the war, regular commissions in this service were stopped and only temporary or emergency commissions were granted both in the Indian Air Force and the IAF Volunteer Reserve which was created in 1939. The strength of the Indian officers in the combatant Arms of the IAF rose from 14 on September 1, 1939 to 1,375 on September 1, 1945. While there was no officer of the rank of Wing Commander or above in 1939, there were nine such Indian officers six years later. Although these are impressive figures, the fact remains that not enough Indian candidates suitable to hold officers' jobs in the combatant Arms of the Air Force were forthcoming, and that was one of the reasons for the slow formation of Indian squadrons and the considerable admixture of British officers from the Royal Air Force in them.

**Demobilization** : After the war came the inevitable demobilization in the Air Force as in the other two Services, plans for which had been worked out in 1944 by the Chiefs of Staff Committee. Their estimate was that India would require, in peace time, 36 squadrons—7 for tribal control on the North-West, 5 for internal security, 3 for the North-East Frontier and 21 to form a nucleus for expansion in case of a major threat of war. Of these the IAF would be limited to 10 squadrons for a considerable time on account of lack of suitable Indian personnel and 26 would be provided by the RAF. Although this estimate was accepted as a useful foundation for further examination, it was realized by April 1945 that the lower limits should be

further brought down and should be based on minimum figures considered absolutely necessary for India's local defence and to enable her to hold out, in the event of a major war, until reinforcements could arrive from outside. New targets were, therefore, evolved, demobilization machinery set up, release regulations framed and demobilization set in motion soon after the war ended. The lowest limit for the Air Force in India was fixed at 19 squadrons out of which 10 would be of the Indian Air Force. Thus there was to be very little reduction in the Indian Air Force officers though the number of other ranks was reduced to almost half. Figures for July 1, 1945 and July 1, 1947 (for the RIAF) are given below for comparison:

	Officers	Other ranks
July 1, 1945	1,638	26,900
July 1, 1947	1,480	13,257

The strength of Royal Air Force personnel (officers and other ranks) was as follows :—

	Officers	Other ranks (Air Crew and Airmen)
July 1, 1945	13,225	118,682
July 1, 1947	1,133	10,140

**Indian Air Force since Independence :** The partition of the country had deprived India of the permanent bases of the Air Force which were located in West Pakistan. Two of the nine squadrons went to Pakistan and simultaneously most of the senior instructional staff which was largely British left the country. The solitary Dakota squadron which was still in the process of being raised was also divided. This created a vital gap which had to be filled immediately. Starting from obsolescent piston engine fighter bombers and a small fleet of Dakota transport aircraft, the Indian Air Force has achieved a steady progress.

The objective is that Indian Air Force should be least dependent on aircraft and equipment from abroad and it should be put on sound organizational and operational footings. In pursuance of this policy, the plan to develop, design and manufacture HF-24 (Marut) aircraft was undertaken. These aircrafts are already in squadron service and a successor to this aircraft to meet the future needs of the Air Force

is being processed. Production of Gnats and MiG-21 aircraft was also undertaken.

**The Long Journey to AN-12 :** Dakotas were the only transport aircraft which IAF possessed at the time of independence. The IAF has subsequently acquired Packets, Caribous and AN-12 to meet the increasing commitments. For meeting the requirements of the Communication Squadron, HS-748, which is manufactured in Kanpur and TU-124 aircraft have been inducted. The sturdy and sleek AN-12s appropriately called the flying fortresses of the Indian sky, maintain the supply line between the plains and the Himalayan posts of the Army. The Fairchild Packets—the 'flying cars', carry out transportation of vital supplies to forward areas. The good old Dakotas still survive and continue to ply over difficult hilly terrain side by side with the more sophisticated and dependable Caribous and the STOL (Short Takeoff and Landing Aircraft).

**Helicopter Fleet :** The helicopter fleet has been standardized to Mi-4, Mi-8 and Alouette III-B. A high record of landing at an altitude of 7,500 metres was set up in 1969 when one of our Air Force test-pilots flew an Alouette helicopter to that height.

The task of expansion to have a compact and hard hitting balanced force of 45 squadrons as a result of experiences of the aggressions since independence has been successfully accomplished. Consequently greater aircraft armament and auxiliary equipment have been acquired from various sources and of many different makes and types. Standardization of both equipment and procedures has been achieved through greater and more rapid reliance on indigenously produced aircraft and equipment. The overall objective has been to achieve the optimum out of the available manpower, aircraft, equipment and other resources. Studies in depth were undertaken by specially appointed teams at all levels of the Air Force with a view to improving all round efficiency and effecting economy. Latest management techniques and system analyses to suit the specialized needs of the Air Force were prescribed and enforced. Latest developments in the concepts and techniques of air warfare, particularly in relation to short and long term threats faced by the country, are constantly being evaluated.

**Sophistication :** Efforts for indigenization of aircraft and equipment in keeping with the national policy of self-reliance in defence equipment are still continuing. Government is constantly on the look out for more modern and sophisticated aircraft. Indigenous development and production of a long-range strike aircraft and an air superiority aircraft are under consideration to meet our long term requirements.

The Hindustan Aeronautics Limited (HAL) manufactured MiG-21 has already been inducted into squadron service. The HS-748 air-

craft has been modified into a freighter and certain number of this aircraft are proposed to be inducted into IAF. Modernization of helicopter force is already in hand. The HAL built Cheetah helicopter has been introduced in service and more units are planned to be re-equipped by this type over the years. Steps continue to be taken to place more sophisticated weapons at the disposal of IAF. The work on improving the Gnat to a better version is also at an advanced stage.

**Air Defence Ground Environment System :** A comprehensive Air Defence Ground Environment System aimed at strengthening air defence of the country, specially in northern and western theatres, is under implementation on a phased basis. This system will augment and integrate a modern radar and communication set-up which will not only strengthen our radar system but also provide a more effective air defence cover by integrating these radars with air defence control centres, air bases and missile bases.

**Air Force Academy :** The inauguration of the first phase of the composite Air Force Academy near Hyderabad early in 1971 was a great landmark in the field of training of the Indian Air Force personnel. The Academy is equipped to train pilots and Ground Duty Officers (non-technical branches).

**A Compact Force :** The chastening experience of IAF operations since independence in Kashmir, Goa, Pakistan and the erstwhile eastern wing of Pakistan (now Bangladesh), the execution of day-to-day peace-time commitments—diverse and complicated on account of the vastness of the country, and the bewildering variety of terrain and climates, have moulded the Indian Air Force into an institution symbolizing strength, resourcefulness, adaptability, improvisation and the spirit of go-getting against the heaviest odds. Today the IAF is a compact and consolidated force of 45 squadrons with a stable air defence network.

IAF has rendered immense service both in times of peace and war, well demonstrating that while it flies with the wings of a dove with a message of goodwill and a healing touch, it also has talons of steel. Today the IAF is so well integrated a part of our life that it has come to be regarded as a symbol of our national aspirations.

## II. Problems

The main task of the Indian Armed Forces (Army, Navy and Air Force) is to defend India and every part thereof against aggression or encroachment from outside. The coordinating and servicing agency

for the efficient performance of this task by the Armed Forces is the Ministry of Defence which is responsible for matters relating to the defence of the country and for obtaining policy decision of the Government of India in all matters concerning the forces and to transmit them to, and process their implementation by, the three Service Headquarters.

A secondary task is that of coming to the aid of civil power in time of civil commotion. Although the responsibility for maintaining internal law and order is primarily that of the civil authority with the help of police forces at its disposal, yet when the disorder grows beyond the control of civil police, a civil magistrate may requisition military aid to restore order with the help of troops. Other secondary tasks of the Armed Forces are to help the government in times of natural calamities like earthquakes, floods, famines, etc., to organize relief measures for the people in distress.

### **Special Assignments**

(1) *Military Evacuation Organization* : The earliest special assignment given to the Army of free India was in connection with the aftermath of the partition of the country in 1947. The decision to partition the country involved the demarcation of predominantly Muslim majority areas in Punjab and Bengal. The Punjab Boundary Commission was created by an announcement of the Governor-General on June 30, 1947 for the purpose of demarcating the boundaries of the two parts of the Punjab. The decision was to be announced as soon as possible before August 15, 1947. The task was rendered difficult by the divergent claims of the various parties and zones. The Boundary Commission failed to arrive at an agreed solution and ultimately the Chairman of the Commission, Sir Cyril Radcliffe had to give his award. As was expected the award satisfied neither party, and to enforce it the Punjab Boundary Force was created and stationed in central Punjab. Meanwhile the tempo of the riots which had started in March 1947 was arising in the Punjab. Muslims in West Punjab began a wanton destruction of property and brutal murder of innocent people belonging to the other community. This soon brought retaliation on the Muslims in East Punjab. Millions of people from each zone fled in terror to seek refuge in the territories of their co-religionists in the other. An unprecedented two-way traffic started—Muslims of East Punjab going west and Sikhs and Hindus of West Punjab going east.

The combined force, the Punjab Boundary Force, however, failed to maintain law and order mainly because it was ill equipped and inadequate for the task, the magnitude of which nobody had anticipat-

ed. It was, therefore, disbanded on August 31, 1947, its place being taken by the Military Evacuation Organization (MEO) on September 1. A parallel organization was set up in Pakistan also. The 4th Infantry Division, designated for East Punjab Area, became responsible for maintenance of law and order in East Punjab, while the Indian Military Evacuation Organization operated in West Punjab to arrange for the safe evacuation of Hindus and Sikhs from there to Indian territory.

An idea of the gigantic nature and immensity of the task so successfully accomplished by the MEO can be had from the following figures :

Refugees brought to India on foot	16,00,000
Refugees brought to India by rail	10,82,500
Refugees brought to India by motor-transport	3,20,000
Refugees brought to India by air	30,000
	<hr/> 30,32,500

This was a very creditable performance, and more so when one considers that the Army and Air Force had no experience of this type of operation and that the task was carried out by officers and men many of whom were often themselves in the grip of acute anxiety about the safety and whereabouts of their own kith and kin. It was indeed a unique achievement in the annals of military history of any country.

Most of the task was finished by December 1947. The organization was gradually wound up and finally ceased to exist in August 1948. Other major operations undertaken by the Armed Forces of India in the post-independence period in the performance of their main task up to 1971 were Jammu and Kashmir, 1947-48; Liberation of Portuguese enclaves, 1961; Kutch, 1965, and Indo-Pak conflicts of 1965 and 1971.

(2) *Peace Keeping International Obligations* : Apart from the six operations on the Indian soil mentioned above, the Armed Forces of free India have also been in service in many foreign countries on behalf of the United Nations (UN). A brief account of such service in discharge of peace-keeping international obligations is given below :

(a) *Korea* : When in June 1950, the Republic of South Korea was invaded by the communist forces of North Korea across the 38th Parallel, the UN Security Council called upon the member states to render help in repelling the invasion. Consequently the United States and some other countries constituted a UN Force for fighting from the South Korean side. India contributed a Medical Unit from her Armed Forces to the sick and the wounded in the war-ravaged Korea. The

60th Field Ambulance with a total strength of 346 (including 17 officers) was sent. It carried out its humanitarian task with great devotion and treated the sick and wounded Australians, Americans, South Koreans, and even Chinese and North Korean prisoners of war. For its services, it was awarded the Meritorious Unit Commendation by the United Nations Commander.

After nearly three years of warfare, when an agreement was signed by the warring sides, a Neutral Nations Repatriation Commission was appointed. India was named its Chairman and the armed contingent (custodian force) to assist the Commission in its work was also provided by India. The Indian officers and men did splendid work in connection with the repatriation of the prisoners of war, and although the work of the Commission was not wholly successful, there was all-round praise for the exemplary conduct of the Indians some of whom were given suitable awards on their return to India.

(b) *Indo-China* : Three international commissions for supervision and control in the States of Vietnam, Laos and Cambodia were set up under the Geneva Agreement during 1954. In her capacity as member and Chairman of the International Commission, India provided a number of Army personnel for manning fixed and mobile teams at various stations, to keep a check on the entry of war material in the states of Indo-China, and investigate violations of the Geneva Agreement. Apart from providing personnel to carry out the functions devolving on India as member and Chairman of the three International Commissions, India also made available a number of personnel for security, signal, medical, movement and postal duties who served all members of the Commissions. After the Emergency of 1962, it was desired but not found possible to withdraw the Indian contingent wholly on account of India's obligations resulting from her membership of the International Commission. Certain reductions were, however, made in the strength of the personnel posted in Laos and Vietnam. During 1964, the strength of our contingent was 48 officers, 17 JCOs and 265 ORs.

(c) *Egypt (Gaza)* : The Suez Crisis of 1956 was responsible for the creation of the United Nations Emergency Force (UNEF), Gaza, on the request of the United Nations. India contributed an Indian Army contingent to this force, which was stationed on the Egyptian side of the border between Israel and Egypt. The Indian contingent consisted of an infantry battalion and ancillary units, its strength being the largest among the nations who had contributed troops to the 5,000 strong UN Force there.

In common with other members of the UNEF, our troops in Gaza were deployed on the Cease Fire line to keep a vigil on the international



border and thus prevent violations of the border and help to preserve peace in the area. Even after the emergency of 1962 in India the strength of Indian contingent in UNEF was left undisturbed.

(d) *Lebanon* : In 1958, India was called upon to provide Armed Forces personnel to assist the United Nations Observer Group in Lebanon. Seventy-one officers were sent for the purpose and later repatriated to India on the completion of their task.

(e) *Congo* : In 1960, when trouble broke out in Congo and United Nations Force was set up, India provided a number of officers, on the request of the United Nations. India also contributed an Indian Army military hospital and some ancillary units. During 1961, when conditions further deteriorated in that country, an independent Infantry Brigade Group was sent. This Brigade Group was called back to India in 1963 and the ancillary units were repatriated in June 1964 when the UN Force in the Congo was finally wound up.

(f) *United Nations Yemen Observation Mission* : In December 1963, India provided a Colonel and four Majors for the United Nations Yemen Observation Mission which was set up for observation of withdrawal of UAR troops from Yemen. The Colonel served as Chief of Staff of the Mission and the Majors as Observers, till September 4, 1964 when the Mission was wound up.

**Cooperation with Friendly Foreign Countries** : Since India is a free country and is not militarily aligned with any foreign power, the question of coordination in matters of defence with the Commonwealth or other countries does not arise. However, certain exercises are sometimes carried out jointly with the forces of other friendly countries (not necessarily with the Commonwealth countries alone). An example of this is the Joint Exercises and Training (JET) which the Indian Navy has had occasionally with the navies of other countries in the Mediterranean, Indian Ocean and other waters. India also takes part in the various international oceanographic expeditions in the Indian Ocean in which ships of several countries participate.

**General Policy** : The Policy of the Government of India is to respond positively to request from friendly Afro-Asian countries for cooperation in their own programmes for building up their defence arrangements and infra-structure. Every effort is made to comply with their requests within the framework of our programmes for economic, technical and scientific cooperation with these countries.

On the specific requests of these countries, we have been offering facilities for the training of their personnel in our defence training establishments. We have also been deputing our officers to work as advisers or instructors in these countries. The aim of such deputations generally is to provide expertise in organizing their instructional

institutions. Some of our personnel have at times been temporarily utilized on staff assignments also.

We have also endeavoured within the limits of our policy and our capabilities to meet the requests from some countries for co-operation in meeting their requirements on commercially competitive terms for stores and equipments.

### **Training**

Training facilities are offered to foreign governments in various Indian defence establishments as mentioned below :

**Army :** The demand for courses in defence establishments from the foreign countries has been progressively on the increase particularly in view of the enhanced reputation for our standards of training and professional competence following the operational experience in 1971. We are meeting these demands to the best of our ability. In some cases we have had to stretch our facilities to the maximum in order to be as helpful as practicable.

In the Army, besides the Defence Services Staff College and Indian Military Academy, the other courses which are in demand are at the Infantry School, Mhow ; College of Combat, Mhow ; School of Artillery, Deolali ; Armoured Corps School, Ahmadnagar ; College of Military Engineering, Poona and Military College of Telecommunication Engineering, Mhow.

**Navy :** The naval courses on which foreigners are being trained include Long Specialization Course, Sub-Lieutenants Professional Courses in various branches, specialization courses of the Seaman Branch, Artificer Apprentices and Medical Specialization Courses.

In spite of our own needs, facilities for training at naval institutions have been offered to a number of friendly countries. During 1971, 141 officers and 283 sailors of different Asian and African countries were undergoing training with us.

**Air Force :** The important courses which are in demand by foreign governments are Pilot Training Course, Qualified Flying Instructors Course and Ground Training Course for technical and non-technical officers.

Air Force personnel from a number of friendly countries have been offered training facilities.

**Deputation of Personnel Abroad :** In addition, Indian senior officers were sometimes sent to the UK to participate in certain studies there. In August-September 1961 an Inter-Service study known as "Union" was held in which all the three Chiefs of Staff and Chief of the General Staff from India took part. Similarly, a joint

secretary of the Ministry of Defence, represented India at a Study Conference on Defence Administration held at Oxford in September, 1961.

Our Army officers have been loaned to a number of African and West Asian countries for work on important assignments. Apart from rendering contribution in the military training they have performed a variety of other tasks concerning administration and organization. In addition, civilian academic staff from the National Defence Academy has been sent on deputation to some African countries.

One of our senior Army officers had the distinction of establishing the Harar Academy at Addis Ababa and of being the first Commandant of this Academy in 1957. His services were widely appreciated by the Ethiopian authorities. In fact, at the invitation of the Emperor of Ethiopia, he visited Ethiopia thrice *i.e.*, in 1970, 1971 and 1972, mainly for advising the Ethiopian authorities on certain specific defence projects.

In Nigeria also, a senior Indian Army officer acted as the Commandant of the Nigerian Defence Academy at Kaduna in 1963. At present an Indian Army officer is serving as its Deputy Commandant.

In addition to the above, at the request of a West Asian country, an Indian Army Band was sent to that country on the occasion of the celebration of their National Day in October, 1972. The performance of the band was highly appreciated by the Head of the State.

Our naval personnel have been loaned to a number of Asian and African countries for the performance of a variety of tasks for which local facilities were deficient.

We have deputed our Air Force officers to the government of a West Asian country for instructional duties. Two retired Air Force officers are also serving with an African country.

The normal tenure of deputation of these officers with the foreign governments is two years, extendable to three years at the request of these governments.

**Goodwill Visits :** Goodwill visits between our Service Chiefs and Heads of the Armed Forces of various friendly countries are a regular feature.

Apart from these goodwill visits, a number of foreign military delegations had visited India during 1972. It has been the aim of these visits to generate goodwill and to see our selected training centres and production units with a view to assessing and identifying areas for developing friendly cooperation in the defence sector.

Foreign high ranking army officers and delegations who have visited India during 1972—75 have been from the following countries: Yugo-

slavia, France, Sri Lanka, Nepal, Iraq, Singapore, Fiji, Bangladesh, USSR, Bhutan, Thailand, Guyana, Canada, Iran, Korea, Ghana, Malaysia, Laos, Bulgaria, Poland, Afghanistan, etc.

Similarly, such visits are returned by high dignitaries of India connected with or interested in defence matters and by high officials of the Indian Armed Forces of all the three Services.

**Emergency Civilian Needs :** Assistance rendered by the three Services to civil authorities may be divided into four categories, viz.,

- (i) in natural calamities, (ii) for maintenance of law and order, (iii) for maintenance of essential services, and lastly (iv) miscellaneous types of assistance.

Only in the case of No. (ii) above, namely maintenance of law and order there is a legal obligation on the part of the defence services to come to the aid of the civil power. In all other cases where a request for help is received the decision lies with competent military authorities for the reason that rendering of such help does not come strictly under the legitimate functions or duties of the Armed Forces. Since, however, the defence services are well organized and disciplined bodies and their personnel have expert knowledge and specialized training, calls for help are frequently made on them by the civil authority and are responded to willingly and efficiently, in some cases even in spite of other commitments of a primary nature on our borders.

The occasions on which such help and assistance has been rendered during the post-independence period are too numerous to be recounted fully. It would be sufficient, therefore, to give an idea of the forms which such aid assumes by mentioning a few instances as below :—

(i) *Natural Calamities :* In case of natural calamities like floods and earthquakes aid is given in the form of supplying vehicles and technical equipment, e.g. assault boats, outboard motors, Bailey bridges, wireless sets etc. ; distribution of foodgrains, medicines and other supplies, evacuation of marooned villagers and cattle and arranging ferry services for civil officials and others ; carrying out salvage or lending salvage equipment, organizing relief work, medical aid, etc., as in Kashmir after the earthquake in Srinagar in September 1963 ; provision of fire fighting equipment, etc.

At the request of civil authorities flood relief was provided by various types of aircraft of Indian Air Force to the states of Bihar, Gujarat, West Bengal, and Arunachal Pradesh. In Bihar alone the Air Force flew 120 sorties involving 140 hours of flying and airlifted 293 passengers and 88,436 kilograms of relief supplies. In the earthquake relief operations for the affected areas in the Himachal Pradesh,

which were at the time snowbound, the Air Force flew 349 sorties involving 256 hours of flying and airlifted 227 passengers and 81,922 kilograms of relief supplies in January and February, 1975.

In June 1966, western Nepal was rocked by a severe earthquake. Within 48 hours of the request for help from the Royal Nepal Government, operations started. Over 67,000 kilograms of supplies were dropped in the affected region. Again in 1967, the Air Force provided massive help to flood victims in many areas of the country like Uttar Pradesh, Rajasthan and Andhra Pradesh. In 1971, the Air Force provided valuable support to the victims of floods in Bihar, Uttar Pradesh, Assam and West Bengal. It also airlifted large relief supplies for the Bangladesh evacuees.

IAF has also provided help of a different kind. In September 1966, two sherpas and one member of a mountaineering expedition, who were injured while returning from Mana-Kamat Peak, were rescued by a helicopter.

The Maritime Reconnaissance Squadron of the Air Force has successfully located many ships and country craft in distress and has been instrumental in saving many valuable lives. IAF has helped the Survey of India in completing their map-making tasks and has helped them in demarcating over 384 kilometres of Indo-Burma border. It has also been employed in geological mapping from the air which helped in locating mineral wealth in the country.

The Air Force also helps in evacuating injured people from inaccessible places in IAF helicopters, by carrying relief supplies, medicines and food to victims of earthquake or by air dropping stores and supplies. In 1974, at the request of civil authorities, flood relief was provided by various types of aircraft of the IAF to the states of Bihar, Gujarat, West Bengal and Arunachal Pradesh. In Bihar alone the Air Force flew 120 sorties to airlift passengers and relief supplies. Apart from such help given in India, the Air Force has sometimes performed such missions for helping other countries also such as Yugoslavia and Italy in 1963.

(ii) *Maintenance of Law and Order* : In case of civil commotion Army troops are employed to curb disturbances and help the police in maintaining law and order as was done on numerous occasions in Nagaland, in Calcutta, and in Kashmir on the occasion of the loss of holy relic from a shrine, and in many other places from time to time.

(iii) *Maintenance of Essential Services* : As an example of this may be cited the breakdown of water and power supply in Poona in March 1963 when Army personnel along with vehicles and electrical equipment were provided to assist in the restoration of water and

power supply. Similarly, assistance was given in January-February, 1974, in Bihar for water and power supply and in Bulandshahr (Orissa) for maintenance of water supply in February, 1974.

(iv) *Miscellaneous Assistance* : It would include the provision of bridging equipment, bull-dozers etc., to civilian authority for the construction of bridges, roads and canals, and also for repair of damaged canals and breaches in roads and drains; also the loan of transporters for conveying of heavy equipment, etc., etc.

Similarly, the Navy too has often given help to civil authorities in such matters as conveyance of medical supplies and officers in case of epidemics as in the case of islands of Minicoy, Amindivi, loaning of naval divers for restoring water supply, assistance to various hydro-electric projects for repairs to dams, clearing underwater obstructions; unloading of food ships, help to port authorities in case of strike by dockyard workers, rescue operations and help to other ships (Indian as well as foreign) having engine breakdown, catching fire or running aground, help to water works to clear sluices, help to civil authorities in anti-smuggling operations, fishing out gold dumped in the sea by smugglers, assistance to missing fishing craft and in many other ways.

### III. Organization

**Introduction** : In the time of the East India Company, its territories in India were divided into three distinct Presidencies—Bombay, Madras and Bengal, where the President of each was also the Commander-in-Chief of its military forces responsible only to the Directors in England. In 1748, the Presidency authorities' susceptibilities must have received a shock when Major Stringer Lawrence arrived in India to take up his appointment as the Commander-in-Chief of the forces of all the three Presidencies. The Regulating Act (1773) created a Governor-General in Council at Fort William in Bengal and gave him overall operational control through his Council of which the Commander-in-Chief was also a member. A little later (1786) a Military Department of the government was also created which may be considered the forerunner of our Ministry of Defence. There was also a Military Board of which the Commander-in-Chief was the President with the Senior Artillery Officer, the Adjutant-General, the Chief Engineer and the Commissary General as members. This Board was abolished in 1855, and its members became simply the Staff Officers of the Commander-in-Chief.

After the Great Revolt of 1857, when the Governor-General's Council was reorganized by the Act of 1861, an experienced soldier

took his seat in it as Military Member of the Viceroy's Executive Council along with the Commander-in-Chief (C-in-C). Thus, although the C-in-C was superior in rank and prestige to the Military Member, he received orders of government through the Military Department (headed by the Military Member) which performed the basic functions of a ministry, and had brought under its control by 1894 the organizations which now form part of the Army Headquarters, such as the Commissary General, the Inspector-General of Ordnance, Director-General of Military Works etc. etc. The C-in-C still had under him the Quarter Master General (QMG), the Adjutant-General and the Principal Medical Officer but all administrative work of the Army was performed by the Military Department and its secretariat under the Military Member.

This position was not to the liking of Lord Kitchener who came here as C-in-C in 1902, and gave rise to the famous Curzon-Kitchener controversy. Lord Kitchener objected to his proposals being vetted and criticized by the Military Member who could not be considered a better judge of Army's needs than the C-in-C, and also because it involved delay in getting decisions. On the other hand Lord Curzon, the Viceroy, insisted on the right of the government to obtain expert military advice on Commander-in-Chief's proposals. The question of civil control over military matters did not arise, as both the Military Member and the C-in-C were experienced soldiers and members of the civil government. In the end Kitchener won his point and in 1906 the arrangement under which the Government of India had two military advisers was abandoned in favour of an arrangement under which a Department of Military Supply was created under another soldier with the rank of Major-General who also had a seat on the Executive Council. Three years later even this department was abolished and a new system was introduced by which the C-in-C also became the Military Member and attended the Executive Council meetings in this dual capacity. All work connected with the administration of the Army, the formulation and execution of military policy, the responsibility for maintaining every branch of the Army, combatant and non-combatant, in a state of efficiency and the supreme direction of any military operations based upon India were thus centered in one person. The Esher Committee (1919-20) asked to consider the position of the C-in-C in his dual capacity as Head of the Army and member of the Executive Council and make recommendations, did not recommend a change, and the arrangement was allowed to continue.

**Control Machinery in UK :** The ultimate control over the whole defence system in India was, of course, that of His Majesty's Government since India was a dependency of the British Crown. The Secretary of

State for India as one of His Majesty's Ministers was responsible to the British Government and Parliament for the military administration in India. His principal adviser on Indian military matters was the Secretary in the Military Department of the India Office who was an officer of high rank, usually a Lieutenant-General with recent Indian experience.

**Army Headquarters :** The C-in-C in his capacity as head of the Armed Forces had the Principal Staff Officers under him to assist him in carrying out his duties of Command and administration. The staff of the Commander-in-Chief known as the Army Headquarters staff, was organized into various branches, the important of which were :

- (i) The General Staff Branch,
- (ii) The Adjutant General's Branch, and
- (iii) The Quarter Master General's Branch.

Each branch had its well-defined functions which it performed under the guidance and control of specially selected officers taken normally from among those who had graduated at the Staff College at Camberley or Quetta. After the end of the World War I, some new branches were added to the Army Headquarters, such as Master General of the Ordnance, Engineer-in-Chief's Branch, and Military Secretary's Branch. The heads of all these branches together with the heads of Navy and Air Force constituted the Commander-in-Chief's chief advisers and senior subordinates before the World War II (1939-45).

**Army Department :** The Commander-in-Chief, as the Army Member of the Executive Council, had the Army Department under him. Proposals relating to the better administration of Army and the welfare of the troops requiring the decision of the Government of India or the Secretary of State were first submitted to the Army Department, organized in the same way and possessing the same functions and authority as the civil departments of the Government of India. The staff of the Army Department consisted of a Secretary possessing the constitutional right of access to the Viceroy, a deputy secretary, assistant secretaries and an establishment section. Till 1921, the Army Secretary was an Army officer usually of the rank of Major-General. The Esher Committee took exception to this and as a result of its recommendations the post was, from 1921, given to a civilian.

The Army Department dealt with the Army, marine and RAF in India in respect of all questions requiring orders of the Government of India. It had no direct relations with commanders or troops or staffs of formations subordinate to Army Headquarters, but had continuous and intimate relations with the Army Headquarters only.

The Army administration was represented in the Council of State



by the Army Member and in the Legislative Assembly by the Army Secretary.

**The Army Council :** This was an advisory body constituted for the purpose of assisting the C-in-C in the performance of his administrative duties. Its President was the C-in-C who convened it for the consideration of important cases requiring examination in conference. Its other members were the Principal Staff Officers, Secretary to the Government of India in the Army Department and the Financial Adviser (Military Finance) representing the Finance Department of the Government of India. Heads of minor branches of Army Headquarters and technical services attended when required.

### **Post-Independence Defence Organization**

After independence, when India became a Republic on January 26, 1950, the defence organization was recast in the light of the new Constitution. The defence structure, as distinct from the organization under the British rule, was now in two separate parts : (i) a central organization for control and for laying down the policy ; and (ii) an executive organization for translating the policy into action.

#### **(1) Central Organization**

**The President :** As Head of the State, the President is vested with the Supreme Command of the defence forces of the union, but in accordance with the accepted constitutional practice his authority is "regulated by law", which means that he exercises his authority on the advice of the "Council of Ministers" (headed by the Prime Minister) which is collectively responsible to the Lok Sabha or the House of the People. Hence the defence mechanism of modern India is based on the principle of parliamentary control exercised through the Cabinet.

**The Defence Minister :** Although there is no statutory provision for the appointment of a Defence Minister as such, defence being one of the key subjects of any country, a separate Minister for Defence along with a Deputy Minister for Defence and a Minister for Defence Production have been appointed. Like all other ministers they are answerable to Parliament for all defence problems in general and for administrative matters of the three Services. The overall and supreme responsibility in matters of national defence is, of course, that of the Prime Minister and his Cabinet in accordance with the well-established practice in parliamentary democracies.

**Policy Making Instruments :** After partition with the adoption of

the parliamentary form of government and the Cabinet becoming the supreme policy-making body it became necessary to create a number of policy-making instruments. A Defence Committee of the Cabinet was set up in September 1947 and it dealt with all policy matters relating to the defence of the country. It comprised the Prime Minister, the Defence Minister, the Home Minister and other Ministers to be nominated by the Prime Minister. In addition the three Service Chiefs, Defence Secretary and the Financial Adviser, Ministry of Finance (Defence) were in attendance at its meetings as expert advisers but not as members of the Defence Committee. Its secretariat was provided by the Military Wing of the Cabinet Secretariat. All questions relating to defence administration requiring decision of the government at the top level were referred to this committee, which in cases of great importance could refer a question to the whole Cabinet. The Minister of Defence not only tendered advice to this committee and the Cabinet but had also to implement policies laid down by these bodies, through his secretariat organization known as the Defence Ministry.

**The Political Affairs Committee :** In the light of the experience gained over the years, the Defence Committee of the Cabinet was, however, abolished. With a few modifications in its composition of procedure, the old committee emerged as the new Political Affairs Committee with a larger scope as its name implies.

In the light of shortcomings revealed by security challenges to the country, the other policy-making bodies like the Chief of Staff Committee and the Defence Minister's Committees also underwent further evolution. At present the major decision-making committees are (i) the Political Affairs Committee of the Cabinet ; (ii) the Defence Minister's Committee ; (iii) the Defence Minister's Production Committee ; (iv) the Defence Research and Development Council, and (v) the Chiefs of Staff Committee. There are a number of other committees also involved in decision-making in national security matters. There is a network of Secretaries' Committees, the Joint Intelligence Committee, the Joint Planning Committee, Ordnance Production Board, Aeronautics Production Board, etc. Further, flexible procedures have developed over a period of time as political leadership, the Service officers and the civilians became increasingly familiar with the problems of national security and crisis management.

This complex decision-making apparatus took time to evolve and the success of the campaign of 1971 bears testimony to the decision-making process having reached the requisite level of skill, competence and sophistication. The effectiveness of the procedures for inter-service coordination developed in recent years was demonstrated in the conflict

of 1971. Considerable attention had been paid to improve management efficiency and this resulted in high dividends in a limited war.

**Defence Minister's Committee :** The Defence Minister is assisted by two committees known as the Defence Minister's Committee and the Defence Minister's Production and Supply Committee.

The Defence Minister's Committee is composed of the Defence Minister, the Minister of State (Defence Production), the Deputy Minister in the Ministry of Defence, the Chief of the Army Staff, the Chief of the Naval Staff, the Chief of the Air Staff, the Defence Secretary, the Secretary, Defence Production, the Financial Adviser (Defence), and the Scientific Adviser to the Minister of Defence. This committee deals with the Defence Plan and all important matters concerning the three Services and inter-service problems.

The Defence Minister's Production and Supply Committee consists of the Minister of Defence, the Minister of State (Defence Production), and the Deputy Minister in the Ministry of Defence, the Chief of the Army Staff, the Chief of the Naval Staff, the Chief of the Air Staff, the Defence Secretary, the Secretary (Defence Production), the Additional Secretary (Defence Supplies), the Scientific Adviser to the Minister of Defence, the Financial Adviser (Defence), the Additional Secretary, Ministry of Defence, the Director-General of Ordnance Factories, and the Director-General of Inspection. This committee regulates defence production efforts in the country and coordinates them with the civil industrial capacity to achieve self-sufficiency in defence stores ; reviews from time to time the mobilization plans for defence production ; approves projects for submission to the committee on Political Affairs of the Cabinet, and gives policy decisions on all matters for the effective operation, modernization or expansion of the ordnance factories. Apart from these functions, the Committee also gives policy decisions on all matters relating to import substitution in the field of defence, particularly instrumentation, vehicles and ship-building and other matters dealt with in the Department of Defence Supplies.

**Other Committees :** Apart from the above two committees, there is the Appellate Committee of Pensions which provides a final forum for considering appeals relating to claims to disability and family pension of the Armed Forces personnel.

The secretariat for the Defence Minister's Committee, Defence Minister's Production and Supply Committee and Defence Minister's Appellate Committee on Pensions is provided by the Cabinet Secretariat (Military Wing).

**The Defence Research and Development Council :** The council is responsible for coordinating and directing scientific research relating to defence problems, particularly in relation to the developments and improvements required by the Armed Forces. The Council consists of

the Defence Minister, Minister for Defence Production, Deputy Defence Minister, Defence Secretary, Scientific Adviser to Defence Minister, Secretary (Defence Production), Additional Secretary (Defence Supplies), Financial Adviser (Defence Services), the three Chiefs of Staff, Director-General Armed Forces Medical Services, Director-General Council of Scientific and Industrial Research, Director, National Aeronautical Laboratory, Bangalore; Director, National Chemical Laboratory, Poona; Vice-Chancellor, Jawaharlal Nehru University, New Delhi; Secretary Department of Science and Technology, New Delhi; Director, Bhabha Atomic Research Centre, Bombay; with Director of Administration (Research and Development) as the Secretary.

**The Chiefs of Staff Committee :** This Committee is the supreme coordinating agency at the Service level and its only members are the Chiefs of Staff of the three Services, its Chairman being the member who has been longest on the Committee. All important questions of policy which require Cabinet approval are first discussed by the Chiefs of Staff Committee and their opinion in the shape of expert advice is placed before the Cabinet for decision. The Chiefs of Staff are thus collectively the professional military advisers to the government. After a decision has been obtained from the government, the Chiefs of the Staff become the supreme executive for implementing it. The Committee is assisted by several sub-committees dealing with specific problems relating to planning, training, communications, etc. The secretariat for the Committee and its sub-committees is provided by the Cabinet secretariat.

**Raksha Utpadan Board :** The Raksha Utpadan Board was formed in May, 1971. Its main purpose is to ensure speedy implementation of projects and to find quick solutions to the problems facing the ordnance factories by providing a forum for inter-ministerial and inter-departmental consultations and decisions as well as sharing of responsibility.

The Secretary, Defence Production is its Chairman and the representatives of the Departments of Expenditure, Economic Affairs, Defence, Defence Supplies, Industrial Development and three Armed Forces, besides the Scientific Adviser and the Director-General Ordnance Factories, are its members. Within the limits of the budget provisions, and subject to the overall directions of Defence Minister and Minister for Defence Production, the Board enjoys the financial and executive powers of the government. It normally meets once in two months. Meetings of the Board have been useful in expediting important decisions relating to the ordnance factories.

**The Ministry of Defence :** In the British regime the C-in-C was also the Defence Member of the government. For the first time an

Indian and that too a civilian took charge of the defence portfolio in the Interim Cabinet of 1946. After independence the Defence Member became the Defence Minister. He is, under the Republican Constitution of India, responsible to the Cabinet and to the Parliament for everything concerning the defence organization of the country. He has under him the Defence Ministry for helping him to carry out his tasks.

The Ministry of Defence consists of the ministry proper, the Department of Defence Production and the Department of Defence Supplies.

The Ministry of Defence, including Departments of Defence Production and Defence Supplies, is responsible for the following items of work :

- (i) Defence of India and every part thereof including preparation for defence and all such acts as may be conducive in times of war to its prosecution and after its termination to effective demobilization.
- (ii) The Armed Forces of the union, namely, Army, Navy and Air Force.
- (iii) The reserves of the Army, Navy and Air Force.
- (iv) The Territorial Army and the Auxiliary Air Force.
- (v) The National Cadet Corps.
- (vi) Works relating to Army, Navy, Air Force and execution of works relating to Defence Production as are entrusted to Military Engineering Service (MES).
- (vii) Military Farms Organization.
- (viii) Canteen Stores Department (India).
- (ix) Civilian services paid from Defence Services Estimates.
- (x) Hydrographic survey—preparation of navigational charts.
- (xi) All matters about cantonments.
- (xii) Acquisition, requisition, custody and relinquishment of land and property for defence purposes. Eviction of unauthorized occupations from defence land and property.
- (xiii) Matters relating to ex-servicemen including pensioners.

**Department of Defence Production :** Created in November 1962, this department is now under a separate Minister. Before the emergency of 1962, the Controller-General of Defence Production was responsible for the overall defence production effort including the utilization of existing capacity or its expansion both in government owned ordnance factories and in the civil sector. After the emergency while some changes were effected in the organization of the production department, a separate Minister for Defence Production was also appointed in place of one of the two Deputy Ministers of Defence. The organizations

under this department, and their detailed functions are discussed in the next section.

**Department of Defence Supply :** In September, 1965, a number of foreign governments completely stopped supplies under Military Aid which they had been making after the Chinese aggression in October, 1962. Several of them also imposed an embargo or restrictions on shipment of military hardware and spare parts even against commercial orders which had been placed with the manufacturers and suppliers in these countries and under collaboration agreements. The flow of vital supplies considerably slowed down. This necessitated serious examination of measures which should be taken for attaining greater self-reliance and maximum self-sufficiency. It was recognized that it would not be safe to rely on foreign sources of supply for meeting defence requirements in an emergency and that a concerted effort should be made to plan indigenous production of defence requirements which were hitherto imported or which would have to be imported in the absence of indigenous production.

Therefore, the Department of Defence Supply was created for dealing with planning for substitution of import requirements for defence purposes, implementation of schemes in this regard through utilization of the industrial capacity in the country for research and development work and for manufacture.

**Inter-Service Organizations :** There are certain specialized services or facilities which are required by all the three Services. The Defence Ministry makes these available to them through the agency of inter-service organizations. The office of the Chief Administrative Officer (CAO) is responsible for all matters relating to civilian gazetted and non-gazetted staff of the Armed Forces Headquarters and Inter-Service Organizations, and for office accommodation for Defence Headquarters (DHQ) and residential accommodation for Service officers employed at HQ and inter-service organizations. Inter-service organizations are :

(i) Armed Forces Film and Photo Division.

(ii) Office of the Armed Forces Medical Services.

The organization of Armed Forces Medical Services was created in 1948 with a view, on the one hand, to develop the medical services of the Army, the Navy and the Air Force and, on the other, to integrate them under one organization to ensure more effective and economical utilization of available resources.

All medical officers are initially recruited to the Army Medical Corps, which meets the requirement of the medical officers of the three Services, the Army, the Navy and the Air Force. As such against the authorized strength of 4,352 the actual strength of medical officers on

December 31, 1974 was 3,961, of whom 2,765 were permanent commissioned officers. A certain number of non-technical officers are also authorized in the Army Medical Corps to man those appointments in the medical units which do not require any technical or professional knowledge. The authorized and actual strength of such Armed Forces Medical (non-technical) Officers was 377 and 325 respectively in 1974.

Medical officers, who hold post-graduate qualifications before joining the Service or acquire such qualifications while in service are, on being found suitable after a short period of training/assessment, graded as specialists. However, the major portion of the requirement of specialists is met by selecting young medical officers and detailing them for advanced specialist courses at the Armed Forces Medical College, Pune and the Air Force Institute of Aviation Medicine, Bangalore. The number of officers detailed for specialist training at the Armed Forces Medical College and the Air Force Institute of Aviation Medicine during 1974 was 107 and 4 respectively.

**School of Foreign Languages :** Started in 1949, the school provides tuition in 12 foreign languages to students from the Services and from ministries of the Government of India. It also has a translation bureau. Outsiders, in a limited number, are also admitted, subject to the availability of seats. The languages taught at the school are Arabic, Burmese, Bahasa—Indonesia/Malay, Chinese, French, German, Japanese, Persian, Russian, Spanish, Tibetan and Pushto. Sanction has also been accorded for starting classes in Sinhala. In 1974, 325 students were admitted to the classes in the school.

**Directorate of Public Relations :** The Directorate, formerly known as Armed Forces Office, functions under the Director of Public Relations who is an officer of the Ministry of Information and Broadcasting. All other officers are appointed by the Defence Ministry and Armed Forces. It runs a weekly in ten languages, and has public relations units in various places in India. It highlights the work and achievements of the Defence Services and various departments through press releases, radio and television, documentary films and other mass-media.

**Historical Section :** This section compiles the history of post-partition military operations, and supplies information on military history and allied subjects to the Ministry of Defence and the Services. It also advises them in the selection of designs and mottoes for flags, crests, emblems, etc. It assists military units in preparing their regimental histories and the Battle Honours Committee in the verification of claims for awards of battle honours to the officers and units of the Armed Forces.

**National Defence College\* :**

**Military Land and Cantonments :** Cantonments are established for quartering troops and safeguarding their health, welfare and safety. For providing these facilities and for historical reasons, cantonments have a sizeable civil population. It is hence necessary to provide for local self-government in these stations and, constitutionally, the responsibility for this devolves on the central government. These functions are administered under the Cantonments Act, 1924 through the Cantonment Boards. These Boards are responsible for providing and maintaining water supply, public health, sanitation and medical facilities, roads and street-lights, primary education, markets, shopping centres, public gardens, play-grounds and other civic amenities.

**(2) Executive Organization**

While the Cabinet, the Ministry of Defence and the various high level committees constitute the policy-making and decision-making machinery for defence matters and the inter-service organizations described above provide specialized facilities common to the three Services, the Service Headquarters and the executive agencies under them provide the organization for implementing and carrying out the policy and decisions.

**Army :** Before independence, the Commander-in-Chief was the overall Commander of all the three Services. After independence each Service was given its own independent Chief, thus making the Army Commander-in-Chief a colleague of the Naval and Air Commanders-in-Chiefs. The designation Commander-in-Chief was changed on April 1, 1955 and the Heads of the three Services became, respectively, the Chief of Army Staff, the Chief of Naval Staff and the Chief of Air Staff in keeping with the new constitutional position where the President is the Supreme Commander of the Armed Forces. The Chief of the Army Staff exercises his administrative control over the Army through the Army Headquarters which was formerly known as the Army Department.

**Army Headquarters :** At the end of the Second World War, the Army Headquarters consisted of six branches. In the following years, some minor changes involving the transfer of certain Directorates from one branch to another took place but on the whole the present structure of the Army Headquarters is the same as in 1945. Army Headquarters functions directly under the Chief of the Army Staff, assisted

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\*For details see pp. 358—365.



by the Vice Chief of the Army Staff (VCOAS) and five Principal Staff Officers, namely, the Deputy Chief of Army Staff (DCOAS), the Adjutant-General, the Quarter-Master General, the Master General of the Ordnance, the Military Secretary and the Engineer-in-Chief. The functions of the branches are described below in brief :

- (i) General Staff Branch : (a) Organization and development of the Army, military operations, intelligence, military training and education, military survey, including maintenance and supply of maps and plans, and engineers in staff matters. These are dealt with by the VCOAS. (b) Staff duties, selection and scale of weapons and equipment, inter-communication services, coordination and policy regarding equipment including provisioning, training and equipment of all armoured corps units, artillery units, advice and suggestions on infantry matters, Territorial Army and Defence Security Corps. These are dealt with by the DCOAS.
- (ii) Adjutant-General's Branch : Manpower, recruitment, leave, pay and allowances, pensions and other conditions of service, discipline and ceremonial. It also deals with the welfare, health and military law.
- (iii) Quartermaster General's Branch : Movements of personnel, stores and equipment, provisions, storage, inspection and issue of fuel, food stuffs and forage; works policy military farms, remount and veterinary services. Army postal, pioneer and canteen services; fire fighting services and technical examination of MES works bills.
- (iv) Master General of the Ordnance Branch : All aspects of procurement policy, provision, storage, recovery, repair, maintenance and issue of all stores and equipment of ordnance supply including MT vehicles, armaments and ammunition, signal equipment, general stores and clothing as well as the supply of items of consumer use to the Navy and the Air Force.
- (v) Military Secretary's Branch : Issue of commissions in the Army, posting, transfers, promotions, release, retirement, registration, invalidment and regular reserve of all non-medical officers of the Army; maintenance of the confidential reports and personal records of all non-medical officers of the Army; provision of secretariat for the Selection Boards which recommend officers for promotion to the rank of Lt. Col. and above; recommendations for grant of honours and awards to Army officers and

honorary commissions in the Army to civilians.

- (vi) **Engineer-in-Chief's Branch** : All matters relating to engineer units including transportation, bomb disposal and mine clearing and engineer stores; administration of personnel of the Corps of Engineers and the MES; design, provision, construction and maintenance of all accommodation and works for the Defence Services; work study of specific projects, and cantonment planning.

**Commands and Areas** : The Army is organized into five Commands under Army Headquarters. Each Command is further divided into Areas, Independent Sub-Areas and Sub-Areas. The Command is commanded by a General Officer Commanding-in-Chief (called the Army Commander) of the rank of Lt. General, Area by General Officer Commanding (Major-General) and Independent Sub-Areas and Sub-Areas by Brigadiers. All these are static formations. However, each Command Headquarters can form a mobile tactical headquarters for exercising operational control over its mobile formations such as Corps, Divisions, Brigades, or Independent Brigades. A Corps Headquarters is placed under a Command Headquarters to command two or more Divisions or a combination of Divisions, Brigade Groups and Independent Brigades.

**Navy** : The Royal Indian Navy from its very inception in 1934 was commanded by British officers. Even after India became independent in August 1947, and after it became a Republic on January 26, 1950 when the Royal Indian Navy became Indian Navy, it continued to be commanded by a Britisher till 1958. In that year on April 22, an epoch-making event took place in the history of the Indian Navy, when the first Indian Admiral, Vice-Admiral Ram Dass Katari assumed its command. He succeeded Vice-Admiral Sir Stephen Carlill—the last British officer to Command the Indian Navy. From that day a new Admiral's flag was brought into service, a flag which had the *Dharma Chakra* superimposed on the centre of the St. George Cross.

The primary responsibility of the Indian Navy is to protect India's long coast-line and island territories. The protection of the large and growing merchant fleet is also the responsibility of the Indian Navy. This task has assumed increasing importance with increase in the number of ships flying the Indian flag and expansion in the tonnage of Indian exports and imports. The rapidly developing fishing industry and activities in connection with exploitation of natural resources also require protection of the Indian Navy.

**Naval Headquarters** : The Naval Headquarters under the Chief of the Naval Staff is responsible for carrying out the above tasks and

for the organizational and operational efficiency of the Navy including the Hydrographic Branch. As a result of the experience gained during the 1971 conflict and for providing direction in the higher echelons of the Navy, a reorganization of the Naval Headquarters was undertaken in 1972-73.

In the reorganized set-up, the Chief of the Naval Staff is assisted by five Principal Staff Officers, namely the Vice Chief of Naval Staff, Deputy Chief of Naval Staff, Chief of Personnel, Chief of Material and Chief of Logistics. The posts of Vice Chief of Naval Staff, Chief of Personnel and Chief of Material are now of Vice Admiral's rank; the remaining two Principal Staff Officers are Rear Admirals. Further, one Rear Admiral each would assist the Vice Chief of Naval Staff, Chief of Personnel and Chief of Material in controlling certain specified Directorates that require close attention.

A Directorate of Management Services at Naval Headquarters organizes, within it, different groups for work-study, statistical analysis and operational research.

The Chief of the Naval Staff exercises overall command of the Navy through Flag Officers Commanding-in-Chief, Western Naval Command, Bombay and Eastern Naval Command, Vishakhapatnam, and Flag Officer Commanding, Southern Naval Area, Cochin. Following the creation of the Eastern Fleet in 1972 the Eastern Naval Command was suitably strengthened. Naval Officers-in-Charge function at major ports like Calcutta, Port Blair, Madras, Goa and Okha. They administer the naval personnel located in the various ports to assist naval ships, which may call at the ports or come for repairs and liaison with civil and port military authorities. They are also responsible for port defence. Proposals have been formulated to increase the status of these officers so as to enlarge their initiative and authority in the interest of harbour and coastal defence.

The major training institutions of the Navy are located at Cochin (INS *Venduruthy*), Vishakhapatnam (INS *Circars*), Lonavla, near Bombay (INS *Shivaji*), Bombay (INS *Hamala*) and Jamnagar (INS *Valsura*). A sailors' training establishment at Goa and a Boy's Training Establishment in Orissa have also been set up.

The Naval Officer-in-Charge, Goa, administers INS *Gomantak*, and Naval Air Station Dabolim is directly under Naval Headquarters.

**Air Force :** After the partition, the Indian Air Force was reorganized into three Commands under Air Headquarters and all Air Force units (except a few which were directly under Air Headquarters) were placed under these Commands. Unlike the Army, the Air Commands are functional rather than regional.

There has been considerable improvement, expansion and moderni-

zation in the Air Force establishments, both ground and air. The experience acquired in the Second World War, and later in Kashmir, Goa and the years of 1965 and 1971 of Indo-Pak conflicts has invested it with a sense of confidence and provided it with a leadership which has made easier the task of turning the small force of 1947 into the mighty Air Force of today.

**Air Headquarters :** The Head of this organization, is the Chief of the Air Staff who is assisted by four Principal Staff Officers—the Vice Chief of Air Staff, Deputy Chief of Air Staff, Air Officer-in-Charge Administration and Air Officer-in-Charge Maintenance. Air Headquarters consists of three main branches. Their functions are as below :

(i) **Air Staff Branch :** Policy and plans, training, signals, education, auxiliaries and reserves and guided weapons under the Vice Chief of the Air Staff; operational flight safety, intelligence, guided weapons, signals and meteorology under the Deputy Chief of the Air Staff.

(ii) **Administration Branch :** Recruitment, discipline, terms and conditions of service, postings, promotions and welfare, medical, accounting, budget and works requirements under the Air Officer-in-Charge Administration (AOA).

(iii) **Maintenance Branch :** Provisioning and maintenance of aircraft; procurements and storage of weapons, equipment and other Air Force stores including armaments and storage of aircraft, plans and inspection, etc., under the Air Officer-in-Charge Maintenance.

**Air Force Commands :** There are three operational Air Force Commands and an independent operational Group. These are the Western Air Command, the Central Air Command, the Eastern Air Command, and No. 1 (Opl) Group. In addition, there is the Training Command and the Maintenance Command. Certain units are also controlled directly by Air Headquarters in view of their distinct functions.

The Western, the Central and the Eastern Air Commands and No. 1 (Opl) Group have under their control certain number of fighter, bomber, reconnaissance and air transport squadrons and signals units. Within their area of jurisdiction Commands/Groups are responsible for the defence of India against air-attack and support to the Army and the Navy, and generally for overall execution of air operations.

The Training Command has under its control all institutions which are responsible for training both the flying and non-flying personnel in the Indian Air Force.

The Maintenance Command has under its control all the units which are responsible for the repair and storage of aircraft, mechanical transport and signal equipment, armaments, ammunition and explosives.

The units directly under Air Headquarters are mainly the Air Force Station, New Delhi, Air Force Selection Boards and Centres, the Proof Ranges, School of Land Air Warfare.

The Indian Air Force has 45 squadrons and is one of the important Air Forces of the world today. In its combat squadrons a significant proportion is current supersonic aircraft. The MiG-21 and Gnat interceptors, the HF-24 (Marut) fighter bomber, HS-748 transport aircraft, and Alouette-III helicopters are produced in the country and, consequently, have full overhaul and maintenance backing. Even in regard to other types of aircraft, it has been the policy to establish adequate support facilities for maintenance and overhaul within the country. Attention to this aspect paid adequate dividends during the 1971 operations.

The MiG-21 (manufactured at Hindustan Aeronautics Ltd.) has already been inducted into squadron service. The HS-748 aircraft has been modified into a freighter and certain number of this aircraft are proposed to be inducted into IAF. Modernization of helicopter force is already in hand. Hindustan Aeronautics Ltd. built Cheetah helicopter has been introduced in service and more units are planned to be re-equipped by this type over the years. Steps continue to be taken to place more sophisticated weapons at the disposal of IAF.

Work on improving the Gnat to a better version is now in an advanced stage.

**Auxiliary Organizations :** For a considerable period of time it had been advocated that military training should be given to the youth and the civilian population of our country both in the national interest and for moulding the character of our youth and people on the right lines. Such a scheme would also serve the purpose of creating a second line of defence and providing a large reserve of semi-trained manpower.

The British had introduced military training in colleges and universities under the University Training Corps (UTC) Scheme, later designated University Officers' Training Corps Scheme. This was instituted in 1925 but had a limited appeal and only a few students took part in it.

**National Cadet Corps :** In 1946 the National Cadet Corps (NCC) Committee was constituted and based on its recommendations the NCC Act was passed in 1948. The organization of the NCC thus came into being.

Its aims are :

- (i) developing character, comradeship, the ideal of service and capacity for leadership in young men and women ;

- (ii) providing service training so as to stimulate interest in the defence of the country ; and
- (iii) building up a reserve of manpower to enable the Armed Forces to expand rapidly in the event of a national emergency. No actual service liability is, however, attached to NCC.

It consists of Junior and Senior divisions of all the three Services and its organization is headed by a Director-General of the rank of a Major-General. Under him are 16 Directors in the various States.

NCC training was entirely voluntary till 1963 when it was made compulsory for all able-bodied male college students with certain exceptions. In the Army Wing of the Senior Division, cadets are given training in drill with arms, weapon training, field craft, map reading, message writing and technical subjects pertaining to their particular Arm or Service.

In the Naval Wing (non-technical Unit) cadets receive service lectures, parade training and arms drill, gunnery and weapons training and training in communication seamanship, elementary navigation, torpedo, anti-submarine, damage control, ship's safety and ship and boat modelling. In addition to the above, cadets of Medical units receive training in hygiene and sanitation, stretcher drill, evacuation of casualties on board ships, naval aviation medicine and radiation hazards. Cadets of Naval Engineering units receive training in marine engineering. Besides other subjects of elementary military training, the ship modelling is taught in the Junior Division, Naval Wing.

In the Air Wing, cadets receive training in drill, physical training, organization, administration, first-aid, weapon training, principles of flight, navigation, meteorology, aero-engines, aero-modelling, gliding and powered flying. In the Technical Air Squadron special emphasis is laid on technical subjects such as tele-communications, radio and radar systems. In the Junior Division, besides elementary military training, aeromodelling is taught to all cadets of the Air Wing.

The training imparted to girl cadets lays greater emphasis on first aid, elementary nursing, wireless and telephone communications and civil defence.

The NCC Evaluation Committee was set up in December 1972 under the chairmanship of Dr. G. S. Mahajani to evaluate the work of the NCC programme and suggest changes in its aims and objects, organization, training, etc., taking into account the activities covered by the National Services Scheme (NSS) and the National Sports Organization (NSO) in the sphere of youth development. The Committee presented its report in January 1974 and made comprehensive recommendations including one to the effect that the NCC should continue

as a separate organization and not be mixed up under one authority with the NSS and the NSO. All recommendations are under active consideration of the government.

In 1974 the NCC covered 3,492 colleges in 101 universities and 6,481 schools.

The sanctioned and actual enrolment figures for the NCC as on December 31, 1974 are as under :—

Type of Units	Senior Division		Junior Division	
	Ceiling	Actual Strength	Ceiling	Actual Strength
Army Wing	3,13,800	2,86,946	5,31,850	4,97,950
Naval Wing	12,600	11,550	49,100	44,834
Air Wing	11,600	9,737	52,050	46,253
Girls Wing	62,000	52,930	67,000	61,173
	4,00,000	3,61,163	7,00,000	6,50,210

**Auxiliary Cadet Corps :** The Auxiliary Cadet Corps, started in 1953, laid emphasis on physical education, recreation, discipline and character building. The training course ran to three years with a total of 275 working hours and was confined to school children of the age group of 13 to 16 years.

From 1965-66 the Auxiliary Cadet Corps has ceased to exist in schools where it was possible to replace it by the new integrated programme called the National Fitness Corps, sponsored by the Ministry of Education. NCC junior Division is being continued as a co-curricular activity along with scouting and girl-guiding at the school stage.

**Territorial Army :** The Territorial Army (TA) is a part-time voluntary force of citizens who are not professional soldiers but civilians eager to contribute their spare time for the country's defence. It is designed to give the youth of the country an opportunity of receiving military training in their spare time and, without disturbing their civil vocation, enable them to bear arms in defence of their country, when-ever called upon to do so. It also helps the civil authorities in dealing with national calamities and maintenance of essential services. It celebrated its silver jubilee on November 16, 1974 by which time it had emerged as a tough force of officers and men who had stood the test of time. It comprises a cross-section of government employees, farmers, factory owners, clerks, industrial workers and others. It has units of Air Defence, Infantry, Electrical and Mechanical Engineers, Medical (General Hospitals), Engineers, Signals and Railway Engineer Groups.

When the Territorial Army units are embodied the personnel of units are assigned duties as in the regular Army. During the hostilities in 1965 and 1971 many units of the Territorial Army were embodied for military service. The Air Defence Regiments were moved at short notice in 1965 to defend installations in cities and in vulnerable areas. A Field Regiment of the Territorial Army went into battle on the Punjab front in 1965 in support of an Infantry Brigade of the regular Army. The Infantry Battalions of the Territorial Army also carried out the role of guarding vulnerable areas and installations behind the scene of battle. The anti-aircraft gunners of the TA brought down a number of Pakistani aircrafts during the two conflicts with Pakistan in 1965 and 1971. The railway units of the TA operated trains during the Chinese aggression in 1962 and the Indo-Pak conflict in 1965. In December, 1971, the TA units restored railway services in the eastern and northern sectors and later assisted the Bangladesh railway staff in maintaining essential services.

The Territorial Army personnel fulfilled efficiently the tasks allotted to them especially in the rounding up of Pakistani paratroopers. The Posts and Telegraphs units of the Territorial Army helped to maintain communication lines and trunk circuits during the operations.

**Use of Hindi in Defence Organization :** With a view to ensuring that government's orders for the progressive use of Hindi in all offices and departments are complied with an Official Language Implementation Committee has been functioning in the Ministry of Defence. Similar committees have been set up in Service Headquarters and Inter-Service Organizations. A consolidated Defence Glossary, containing defence terms in Hindi has been prepared. Out of 8,600 forms in use in defence organizations 6,400 have been translated and printed bilingually. Some manuals have also been similarly translated and printed in Hindi. Hindi has also been adopted to a large extent as a medium of instruction in the Army not only for educational subjects but also for training in drill, PT, weapons, training in field craft and reconnaissance. Hindi classes have been organized in all units. Caps, badges and medals are also being prepared with Hindi letterings.

#### **IV. Defence Production and Research**

It is a well recognized maxim that the Defence Services must be equipped with modern and efficient weapons and equipment capable of performing well under all conditions in which they may have to operate. After the World War I (1914-18) the role of the Army in India was defined as holding a minor invasion in the north-west,



maintaining peace on the frontier by keeping in check the warlike tribes and preserving peace in the country. To meet an attack or invasion by a major power was the responsibility of the British Government. In view of this limited role of the Indian Armed Forces, their equipment was never brought up-to-date nor was the country's industrial organization encouraged to produce and supply the Army's need. Some of the articles needed were produced in the government-owned ordnance factories, a few were supplied by private industry, and the more sophisticated ones were imported.

It was only in the thirties (in the year preceding the outbreak of the World War II) that it was realized that the Indian Army might have to play a more significant role than the one officially accepted. Schemes were, therefore, set afoot to mechanize and give better equipment to India's Armed Forces but not much was done to increase indigenous production.

During the years of the World War II (1939-45), however, as a result of the unprecedented expansion of India's own Armed Forces, the necessity to maintain large contingents of foreign troops as a result of India having been made a base of operations against Japan, and the difficulty of obtaining imports from Britain and other western countries, it became necessary to increase to the maximum the local production of materials required by the forces. This led to tremendous expansion in ordnance factories as well as private industry for the increased production of defence items which were already being produced and to the production of some new items not manufactured in India before. However, for some of the more complicated equipment and weapons, India still relied upon imports.

This dependence upon imports for such items continued for several years even after the attainment of independence in 1947. But the aim of achieving self-sufficiency in defence requirements was always kept in view and steps were taken towards that end. As a result of this a very substantial progress has been made in increasing the indigenous content of major items of equipment and in building up a large measure of expertise in a variety of specialities.

**Department of Defence Production :** Before the emergency of 1962, the Controller General of Defence Production was responsible for the overall defence production efforts including the utilization of existing capacity and its expansion both in government-owned ordnance factories and the civil sector. After the emergency while some changes were effected in the production department's organization, a separate Minister for Defence Production was also appointed in place of one of the two Deputy Ministers.

**Departmental Production Units :** There are a number of depart-

mental factories working under the control of the Department of Defence Production. The activities of these factories embrace a very wide field and a number of specialized technologies covering the production of weapons, ammunition, transport vehicles, bridges, anti-submarine projectiles, supply dropping equipment, clothing and a large range of general stores. Since the declaration of emergency in October, 1962, the responsibilities and activities of the ordnance factories have very considerably increased. Some of these factories are very old with outmoded plant and equipment. A comprehensive plan for rehabilitation and modernization was framed, and considerable progress achieved between 1962-75.

The production in the ordnance factories depends in nature and extent upon the requirements of the Defence Services. These increased very considerably during and after the conflicts of 1962, 1965 and 1971 and most of the factories worked round-the-clock.

The ordnance factories continued to render assistance to the civil sector, though only to the extent the capacity could be spared after meeting the requirements of the Defence Services up to their maximum capacity. Supply of certain specialized stores of the Railways and other public sector undertakings as well as Border Development Board was, however, continued.

During 1974, the industrial establishments of the ordnance and equipment factories employed about 1,11,700 men. The items made by the factories during 1974-75 were approximately worth Rs. 213 crores as against a target of Rs. 182 crores.

**Production and Supply :** Ordnance factories have attained self-sufficiency in the production and supply of small arms. For artillery, heavy mortars, anti-aircraft guns and mountain guns and for the Vijayanta tanks 105-mm guns have been supplied. The production of 105-mm Indian Field Gun has commenced. Besides these, sighting and vision instruments, range finders, binoculars and compasses, etc., have been produced.

The Navy has been supplied with an important item, viz. 4.5" barrel for the naval gun. Various items of ammunition have also been supplied to the Navy.

Similarly for the Air Force, 300-mm Aden gun barrels have been supplied besides various ammunition items, bombs and optics for aircraft and airport lighting equipment for the night landing facilities in the airfields.

Picrite for use in flashless propellants, nitrocellulose powder for the ammunition of 7.62 mm semi-automatic rifle, 9-mm sten gun, 30-mm anti-aircraft gun and 40 mm anti-aircraft gun besides cord detonating fuses for field demolition have also been produced. Some of

the high explosive compounds required for filling warheads of large calibre ammunition bombs, etc. have been developed and the requirements of the Services are being met. Development works are also in progress for manufacture of plastic explosives based on certain high explosive compounds.

Computerized material planning system has already been introduced in 16 ordnance factories. This system will be gradually extended to other factories as well. With centralized processing of information of production programmes and inventory control, the requirement of raw materials and components is known well in advance, so that timely action for provisioning projects, apart from computerized project review, can be undertaken.

Statistical quality control is being used in the ordnance factories with the object of building quality into production during manufacture.

Besides, ordnance factories manufacture shot guns and rifles as well as their ammunition for civil use. They are also supplying acids and various chemicals to trade firms. Instruments like binoculars, compasses, micro-film readers, strip-film projectors and drawing instrument sets are also being produced for civil use. Depending upon availability of capacity, the factories are also making iron and steel castings, forgings and undertaking machining work for the railways, public sector undertakings and trade firms.

**Modernization Programme :** An intensive programme for renewal and replacement of old equipment and modernization of the production facilities in the ordnance factories is in hand. The old TNT (trinitrotolvene) plant in a factory is being replaced by a modern unit. Replacement of auxiliary plants such as the oleum plant, nitric acid plant etc., engineered indigenously, using the latest techniques, is progressing expeditiously.

To achieve fuller utilization of capacity, approximately 10 to 15 per cent capacity is being used for meeting civil and export orders.

Modernization of the century old Ordnance Equipment Factory, Kanpur was initiated in 1971 to meet the increased production activity and also to provide better working conditions. This work is going apace rapidly. There has been appreciable progress in the modernization of the tanning process. Chrome tanning of skins and hides has been started. The factory has undertaken fabrication of sophisticated chrome tanning machines which is a significant step towards import substitution.

Continuous efforts are being made to increase the indigenous content of stores and equipment manufactured by the ordnance factories. In this process, the factories are assisted by various technical committees functioning under the Department of Defence Supplies. In fur-

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therance of the objective of indigenization and also to promote the growth of ancillary industries, a project has been taken up to establish ancillary industries adjacent to the ordnance factories.

**Other Organizations under the Department of Defence Production**

(1) *Directorate General of Inspection* : The Director-General of Inspection (DGI) is responsible for the inspection and quality control of arms, ammunition and equipment for Defence Services manufactured in the ordnance factories, public sector undertakings and in the civil sector including certain stores ordered through Director-General Supplies and Disposal. In addition, the Director-General investigates and advises on the possibilities of indigenous production of imported items of defence stores. It also tenders technical advice on manufacture of stores in the civil sector used by the Services and helps in investigating defects in equipments where failures occur in use.

An important function of the Inspection Services is laboratory testing of materials and finished stores to ensure compliance with specifications. For this purpose, a network of laboratories has been organized at all important stations to ensure speedy inspection of supplies. The value of stores inspected by DGI's organization during 1974-75 was 335.75 crores.

(2) *Directorate of Standardization* : The basic objective of the Defence Standardization Organization is to improve, simplify and make economical, the performance of logistic functions. The Services have acquired a very large variety of equipment over the years. It is, therefore, essential to reduce without detriment to the fighting efficiency of the Services, this variety in number, by resorting to standardization, wherever possible. The Directorate of Standardization is entrusted with these tasks. It functions as a secretariat for the Standardization Committee, which consists of representatives of the three Services and the Ministry of Defence. The Standardization Committee is assisted by eight sub-committees and forty-eight specialist panels.

The Directorate also maintains a Technical Information Centre, which contains up-to-date national and international standards, specifications, technical reference journals and publications for the use of the Defence Services.

During 1975, the Directorate considered 27,000 items, which is an all time high when compared with the figures of the last ten years. Hundred and twenty-two Joint Services Specifications were also issued for items not covered by national or international standards. Also by means of systematic codification over two lakh items have so far been catalogued.

(3) *Directorate of Technical Development and Production (Air)* : The Directorate of Technical Development and Production

(Air) is responsible for :

- (i) inspection of defence aircrafts, accessories and associated airborne and ground equipment ; and
- (ii) development and establishment of indigenous sources of supply for certain categories of aeronautical stores and ground support equipment of imported origin.

The Directorate is also responsible for the screening of indents for the import of aeronautical stores, so that items for which indigenous sources are already available or can be established within a reasonable time, are not imported. For quality assurance and inspection role, the Directorate is assisted by Resident Inspection Establishment at various divisions of Hindustan Aeronautics Ltd., an Air Armament Inspection Wing at Khamaria, with detachments at some ordnance factories for covering air armament stores, Resident Inspectorate at Ordnance Factory, Dehra Dun, for air-field lighting equipment and an establishment at Bangalore for inspection, and the Authority for Holding Sealed Particulars (AHSP) functions in relation to aviation electronic items.

This Directorate carries out both direct inspection and supervisory inspection through the system of "approved firms inspection" depending on the nature of quality control system instituted by the manufacturer. The inspection and quality assurance service provided by this Directorate covers production as well as repairs and overhaul of defence aircraft, aeronautical and allied stores outside IAF units. Stores worth Rs. 82.61 crores were inspected during 1974-75.

As a result of the indigenous development and substitution activities, a saving of foreign exchange to the extent of Rs. 7.58 crores had been achieved during 1974-75 as against Rs. 87.31 lakhs during the previous year.

(4) *Public Sector Undertakings* : In addition to the above, the Department of Defence Production has under its control nine very important public sector undertakings run on the lines of limited companies in which the government holds the controlling share. These are :

- (i) Hindustan Aeronautics Limited, Bangalore (HAL).
- (ii) Bharat Electronics Limited, Bangalore (BEL).
- (iii) Mazagon Dock Limited, Bombay (MDL).
- (iv) Garden Reach Workshops Limited, Calcutta (GRW).
- (v) Praga Tools Limited, Secunderabad (PTL).
- (vi) Bharat Earth Movers Limited, Bangalore (BEML).
- (vii) Bharat Dynamics Limited, Hyderabad (BDL).
- (viii) Goa Shipyard Limited, Goa (GSL).
- (ix) Mishra Dhatu Nigam Limited, Hyderabad (MDNL).

(i) **Hindustan Aeronautics Limited, Bangalore :** This single aircraft corporation comprises the former Hindustan Aircraft Limited, the Aircraft Manufacturing Depot, Kanpur, and the Aeronautics India Limited. A brief history of these three organizations is given below before describing the work entrusted to the new corporation.

(a) **Hindustan Aircraft Ltd. :** This was established at Bangalore in December, 1940, as a limited company owned by the Government of Mysore and Messrs Walchand Hirachand, with the object of carrying out all types of aircraft repairs and maintenance. The Government of India joined the company as a share holder in 1941 and purchased the entire interest of Messrs Walchand Hirachand. Later, in 1946, the company undertook the assembly and manufacture of Prentice trainer aircraft for the IAF. The first Hindustan Aircraft Ltd. assembled Prentice flew in April 1948. Subsequently the company undertook under agreement with foreign collaborators the assembly and manufacture of Vampires and Gnats as well as Orpheus Dart engines. The Hindustan Aircraft Ltd. designed and developed HT-2 (a basic trainer aircraft), Pushpak and Krishak light aircrafts and a Basic Jet Trainer. In the early sixties it took in hand work on development of the Supersonic HF-24. A subsidiary activity of the company was the production of conventional integral rail coaches for the Indian Railways.

(b) **Aircraft Manufacturing Depot, Kanpur :** This was set up as a unit of the Maintenance Command of the Indian Air Force in 1959 to manufacture Medium Transport Aircraft under a licence agreement with a British firm.

(c) **Aeronautics India Limited :** An agreement was signed between the Government of India and the Government of USSR granting the licence to manufacture in India a modified single-engine fighter aircraft, MIG-21, complete in all respects.

It was decided that the factory to undertake the manufacture of air-frames would be established at Nasik in Maharashtra state, aero-engines would be produced at Koraput in Orissa, and the electronic and allied equipment at Hyderabad in Andhra Pradesh.

Considering the size of the project and the necessity for speedy execution, an autonomous undertaking in the public sector, called Aeronautics India was registered in August 1963 and the MiG project entrusted to it.

All these three organizations were merged together and a single corporation designated Hindustan Aeronautics Limited came into being on October 1, 1964 and was made responsible for the production of aircraft and allied equipment in India. All the shares in this undertaking are owned by the Government of India. The corporation has

an authorized capital of sixty crores and 11 divisions located in six different states. Six of these factories including the unit at Barrackpore constitute the Bangalore complex and the three factories at Hyderabad, Koraput and Nasik divisions comprise the MiG complex. The remaining two at Kanpur and Lucknow manufacture HS-748 and accessories respectively. The Indian Air Force continues to be HAL's principal customer.

The following types of aircraft and aero-engines are currently (1974-75) being manufactured at the various units of the company :

Marut	Jet fighter/ground attack aircraft designed and developed by HAL.
Marut Trainer	Tandem 2 seat trainer version of Marut designed and developed by HAL.
Kiran	Basic jet trainer aircraft designed and developed by HAL.
Basant	Single seat, low wing agricultural aircraft designed and developed by HAL for aerial application of pesticides and fertilizers.
Chetak	7 seater helicopter.
Cheetah	Light weight helicopter for Air Observation Post role.
MiG-21	Supersonic jet interceptor.
HS-748	Pilot trainer and freighter version of twin-engined transport aircraft.

Orpheus 703 engine for Marut aircraft.

Engine for MiG-21 aircraft.

Dart engine for HS-748 aircraft.

Artouste III-B engine for the Chetak and Cheetah helicopters.

A new addition to HAL's product range is the Basant agricultural aircraft for which the Director-General of Civil Aviation issued the type approval certificate in January, 1974. A batch of 20 Basant aircraft in the pre-production series was built during 1973-74 and 1974-75 and certificates of airworthiness obtained. Series production of the aircraft has commenced during 1975-76.

(ii) **Bharat Electronics Limited, Bangalore** : A scheme for the establishment of a factory for the manufacture of communication equipments for Defence Services and civil government departments was approved and a ten-year agreement was signed in December 1952, between the Government of India and a French firm, for technical collaboration. Following the agreement, the Bharat Electronics Limited, was registered as a Limited Company in the public sector in April 1954.

The entire capital of the company *i.e.* Rs. 6.96 crores is subscribed by the Government of India.

The factory commenced production on a small scale in January, 1956. The number of types of equipment and the value of production in the factory have been progressively increasing year by year. With a view to meet the diversified requirements of the various departments, technical collaboration agreements have been entered into with some foreign companies including one for manufacture of some types of radar equipment. Bharat Electronics Limited have themselves designed and developed various items of electronic equipment, instruments, accessories, and appliances which have been taken up for production and supplied to the Defence Services, the civil departments like the All-India Radio, Police, Civil Aviation, Meteorological Departments, Post and Telegraphs as also for the entertainment industry. The Bangalore unit of the company produced goods worth Rs. 42.82 crores in 1973-74 while the Ghaziabad unit which went into production only in 1972-73, had work in progress of the value of Rs. 2.25 crores at the end of the year. The Bharat Electronics also exported certain items worth about Rs. 2 crores in that year. It has expanded the production capacity of TV picture tubes and ceramic capacitors.

(iii) **Mazagon Dock Limited, Bombay :** The Mazagon Dock Limited, had been incorporated under the Companies Act in 1934 with the British India Steam Navigation Company and the Peninsular and Oriental Steam Navigation Company of the UK as the principal shareholders. In 1960, on account of the expansion of the Naval Dockyard at Bombay undertaken then, the acquisition of further facilities for the maintenance of our naval fleet became necessary. The Mazagon Dock Ltd. which was working at loss was eager to sell and government were able to acquire the entire share-holdings of the company in April 1960.

From what was primarily a small ship repair yard at the time of its takeover in 1960, Mazagon Dock Ltd. has grown into a premier shipyard capable of building sophisticated warships and merchant ships of up to 150 metres in length and 24 metres in breadth. Soon after its takeover the shipyard embarked upon an expansion and modernization programme consisting of two new ship building berths, an impounded wet dock capable of accommodating four to five medium-size ships at a time and new production and assembly shops with modern machinery and equipment, cranes facilities and electrical and electronic shop, which has since been completed. With the establishment of the modern ship-building facilities, the shipyard



is now capable of producing ships of the following categories :

- (a) Sophisticated warships, such as destroyers, frigates, and patrol craft.
- (b) Passenger ships, passenger-cum-cargo ships and cargo ships.
- (c) Dredgers.
- (d) Tankers.
- (e) Tugs, barges, trawlers, launches, floating docks, floating cranes, special purpose pontoons, assault boats, etc.

To date, the Mazagon Dock Ltd. has built three frigates—INS *Nilgiri*, INS *Himagiri* and INS *Udayagiri* two passenger-cum-cargo vessels (*M.V. Harsha Vardhana* and *M.V. Onge*), five dredgers, two mine-sweepers, two AVCAT (Aviation turbine fuel for use on Board carrier) tankers, four tugs, three pontoons, four passenger ferry boats, one motor cutter, one water boat, two launches, twenty-one fishing trawlers, and thirty-six barges.

With the modernization of the yard, the shipyard's capacity for undertaking ship repair work of sophisticated nature has also increased. The company has established an image abroad for quality work particularly in West Asia and South-West Asia.

During the year 1973-74 the ship construction activity showed an all-round improvement and the turnover of ship-building increased from Rs. 2,318.34 lakhs in 1972-73 to Rs. 2,438.45 lakhs in 1973-74.

(iv) **Garden Reach Workshops Limited, Calcutta** : The Garden Reach Workshops Ltd., Calcutta, were established as a private company by the British India Steam Navigation Company and the River Steam Navigation Company of the United Kingdom for undertaking marine repairs and services to their own ships and vessels.

The entire assets were acquired by the government in April, 1960. After acquisition the company form of management was continued. The company is concentrating on ship-building and general engineering manufacturing lines. During 15 years from its takeover, it has grown into a multi-product diversified undertaking with growing emphasis on ship-building. The company has six units in and around Calcutta and two outside Calcutta, one at Ranchi and the other at Nagpur.

The value of the company's production in 1973-74 was Rs. 22.81 crores, an increase of 35 per cent over the previous year in spite of shortage of certain raw materials and oil based products owing to the oil crisis.

(v) **Praga Tools Limited, Hyderabad** : The administration of the company was transferred to the Ministry of Defence (Department of Defence Production) in December, 1963 to enable the utilization of

the capacity available for defence production.

The company has two divisions namely, (i) Machine Tools Division in Secunderabad, and (ii) the Forge and Foundry Division Hyderabad. The Machine Tools Division manufactures machine tools such as cutter and tool grinders, surface grinders, drilling machines, milling machines, George Fischer Copy Lathes and thread rolling machines, besides certain machine tools accessories like lathe chucks, drill chucks, machine vices, etc. The Forge and Foundry Division produces railway screw couplings, auto and diesel spares and some defence items.

The value of production achieved during 1973-74 was Rs. 314.46 lakhs while the sale amounted to 302.00 lakhs. Production and sales during the year were the highest the Praga Tools has achieved so far.

During 1974-75 the company is likely to achieve a production level exceeding Rs. 400 lakhs. Sales during the same year are expected to reach Rs. 380 lakhs.

The company's products have found a market in highly developed countries like the USA and Canada. It exported items worth Rs. 4.04 lakhs during 1973-74.

(vi) **Bharat Earth Movers Limited, Bangalore** : In view of the large demand for the various types of Heavy Earth Moving equipment for defence needs and major irrigation and power projects, a new factory was established in 1964 in cooperation with M/s Le. Tourneau Westinghouse of USA and started functioning from January 1, 1965. It has two factories : (i) the Railcoach Factory at Bangalore and (ii) the Earth Moving Factory at the Kolar Gold Fields.

The Railcoach Factory is manufacturing broad-gauge integral railcoaches of different models. The Earth Mover Factory is producing heavy earth moving equipment such as scrapers, dumpers, motor-graders wheeled tractors and trawler tractors of three sizes.

The company has been earning profits right from the very first year of working i.e. 1964-65 and has been declaring dividends since 1967-68. It has also been able to generate sizable internal resources. Significant efforts have also been made in the direction of diversification of the production. The company achieved production value of Rs. 38.21 crores during 1973-74 as against Rs. 37.13 crores and Rs. 34.13 crores achieved in 1972-73 and in 1971-72 respectively.

(vii) **Goa Shipyard Limited** : This company was first established under the Portuguese law in November, 1957 with the name of Estaleiros Navais De Goa, primarily with a view to providing barge repair facilities required as a result of the spurt in the export of iron ore from the territory of Goa, and the consequent increase in the number of barges. After the liberation of Goa, the

yard was given on lease to the Mazagon Dock and was being run as a branch of that undertaking till September, 1967. It started functioning as a separate company with its own Board of Management (but as a subsidiary of the Mazagon Dock) with effect from October 1, 1967.

Until 1966-67, the activities of the Goa Shipyard were confined mainly to barge repairs and the construction of ore-carrying barges up to about 500 ton capacity. The yard facilities were subsequently augmented and a third slipway was commissioned, apart from installing several additional items of machinery and equipment. The company is now capable of constructing barges up to 1000 DWT, small dredgers, fishing trawlers, tugs, and other harbour craft. It also carries out repairs to such vessels.

(viii) **Bharat Dynamics Limited** : The Bharat Dynamics Limited was set up at Hyderabad in July, 1970 for the manufacture of anti-tank missiles.

The production of anti-tank missiles in the Bharat Dynamics Limited commenced in July, 1971. The value of production during 1971-72, 1972-73 and 1973-74 has been Rs. 1.08 crores, Rs. 2.16 crores and Rs. 2.51 crores respectively.

(ix) **Mishra Dhatu Nigam Limited, Hyderabad** : This company was incorporated on November 20, 1973 with an authorized share capital of Rs. 20 crores to set up a factory for the manufacture of special metals and super-alloys on a site adjacent to the Defence Metallurgical Research Laboratory, Hyderabad. Technology for setting up the plant is being obtained from selected foreign firms. The plant, which is expected to commence production by the end of 1979 or early 1980, will help in the indigenous production of a variety of alloys required by several vital industrial sectors such as nuclear energy, power generation, chemical engineering, space, aeronautics, electronics, and instrument industries.

## V. Training

Training centres, schools, institutes, colleges, for the Armed Forces of the country are of three types—those for Other Ranks (ORs) only, those meant for both ORs and officers and those meant exclusively for officers.

An OR gets training in his regimental centre before being posted to his unit. Each regiment of infantry has its own training centre and depot.

Other Arms and Services have also their own training centres where

recruits are given training. The Corps of Engineers, for example, which is divided into three groups, has three training centres, one for each group. Similarly Commands also have their own training camps or schools in certain subjects. Then there are certain schools and colleges run by various corps for the training of officers and ORs in their particular subjects, such as, the College of Military Engineering at Dapodi (Poona), School of Signals (Mhow), and the Artillery School at Deolali. At the highest level we have the National Defence Academy, the Indian Military Academy, Wellington Staff College and the National Defence College—all for officers and would-be officers only.

### **A. Pre-Commission Training**

**National Defence Academy, Khadakvasala :** The National Defence Academy (NDA) is intended for entry into the officer ranks of the three Services. It is an inter-Service institution where candidates are trained for the Army, Navy and Air Force.

The nucleus of the fund for the building of the Academy was provided by the Sudan Government in gratitude for the gallantry of Indian troops in liberating Sudan and Abyssinia in World War II. After partition (1947), the Government of India decided to utilize this amount for establishing an academy at Khadakvasala on the lines of the US Military Academy at West Point with slight modifications. The National Defence Academy, built on a 6,500 acre site, eleven miles from Poona, was formally opened in January, 1955. Candidates for entry to the Academy must be between 16 and 18½ years of age, must qualify in a written examination conducted by the Union Public Service Commission (UPSC) and pass interview and intelligence, psychological, endurance and leadership tests conducted by the Services Selection Board (SSB). The cadets must be unmarried and remain so during the period of stay in the training. The course is for three years.

The emphasis during the first two years is on academic subjects and in the third year on Service subjects. Drill, weapons training, PT, riding and other games are obligatory throughout. In addition to physical and military training, discipline, leadership, team spirit and cooperation, inter-Service spirit and atmosphere are fostered. During the third year's training the cadets considered fit for technical arms are given separately additional training in technical subjects. Specialist training for different Services is organized and, on completion of the third year, the cadets branch out to their respective Service training centres. Army cadets are sent for one year's further

training to the Indian Military Academy, Dehra Dun, on completion of which they are commissioned. The naval cadets do a mid-shipman's tenure before getting commission while the air cadets are despatched to the Air Force Academy.

**Indian Military Academy, Dehra Dun :** This Academy was inaugurated in Dehra Dun in 1932, to give pre-commission training to Indian cadets. From that time Indians ceased to be eligible for admission to Sandhurst and Woolwich. When in 1955, the Joint Services Wing (earlier known as Inter-Services Wing) of the Academy was transferred to Khadakvasala, only the military wing remained at Dehra Dun, which is now the main avenue through which admission to the commissioned ranks of the Army is obtained.

The main sources of entry into the Academy are : (i) successful candidates who have completed three years' training at Khadakvasala; (ii) higher age-groups with Intermediate as minimum qualification who have qualified in the written examination and interview held by the UPSC and SSB respectively; (iii) graduate candidates of the National Cadet Corps; (iv) technical graduates selected for specialized commission in the technical arms of the Army; and (v) National Service or Territorial Army personnel.

The training is designed to endow Gentlemen Cadets with the basic military requirements necessary for a junior leader in the Army, although academic studies are also continued to some extent. The tactical training culminates in war games at platoon level in near-war conditions at the Academy's range, a few miles outside Dehra Dun in the Ions Valley.

**Army Cadet College :** The Army Cadet College, established at Nowgong (Madhya Pradesh) in 1960, is now located at Poona and trains promising Other Ranks for entry into commissioned ranks through the Military Academy.

**Rashtriya Indian Military College, Dehra Dun :** Formerly known as the Prince of Wales Royal Military College, it is run on public school lines and serves as a feeder to the National Defence Academy.

**Sainik Schools :** These are several residential schools run on the lines of public schools and are primarily meant for the sons of the Defence personnel. They prepare boys for the School Leaving Certificate Examination, but the primary aim is to train the students to compete for entry into the NDA, Khadakvasala. Emphasis is, therefore, laid on qualities of leadership, discipline, endurance, team spirit and cooperation. Similarly there are five Military Schools (at Dholpur, Chail, Belgaum, Ajmer and Bangalore). All these Sainik Schools and Military Schools, like the Rashtriya Indian Military College, Dehra Dun and the Army Cadet College, Poona, serve as

feeders to the National Defence Academy, Khadakvasala, and the Indian Military Academy, Dehra Dun. These schools are primarily meant for the sons of Junior Commissioned Officers and Other Ranks. They impart general education and at the same time prepare the students for entry into the commissioned ranks.

**Naval Training :** Subsequent to their completing the course at the NDA all naval cadets are given further specialized training according to the branches to which they are allocated. The officer cadre of the Navy comprises six branches : (i) Executive, (ii) Engineering, (iii) Electrical, (iv) Supply and Secretariat, (v) Instructor, and (vi) Medical.

The cadets are allocated to the first four of these branches only as the recruitment to the last two (Instructor and Medical) branches is not through cadet entry.

For the training of officers and seamen there are various shore establishments, the more important ones being INS *Venduruthy* (at Wellington island, Cochin), INS *Garuda* (Naval Air Station, Cochin) ; INS *Shivaji* (Lonavla, Bombay) ; INS *Valsura* (Rozi island, Jamnagar), INS *Circars* (at Vishakhapatnam) and INS *Hamla* (Bombay).

**Air Force Training :** The bulk of the entrants to the flying branches of Air Force are from the NDA. During the third year at the NDA, the air cadets are introduced to gliding and such other subjects as will prepare them for service in the Air Force. After finishing the three years' course at NDA the cadets are sent to the Air Force Academy, Dindigul.

The advanced training of pilots is carried out either at the Jet Training Wing, Begumpet or the Transport Wing, Hakimpet. After successfully completing their training the pilot trainees are commissioned into the Air Force and awarded their "Wings". The Air Force Technical College at Jalhalli is responsible for the training of technical officers (as also of apprentice airmen) of the Air Force.

## **B. Post-Commission Training**

### **(a) Inter-Services :**

**(i) Defence Services Staff College, Wellington :** While the academies at Khadakvasala and Dehra Dun impart basic pre-commission training, there are two colleges for advanced training of senior officers already holding commissions. These are the Defence Services Staff College at Wellington and the National Defence College, New Delhi. The former trains staff officers of the three Services to make them fit for holding command and staff appointments. Officers wishing to

join the College have to appear for the entrance examination except in the case of Navy where the entry is by selection from suitable candidates. The qualifications for Army candidates are at least five years' regimental experience, three months' experience in a formation headquarters and successful completion of the Junior Commanders' Course at the Infantry School, Mhow. Candidates should be between 25 and 35 years of age. Normally, the College trains 175 officers at a time. Some vacancies are reserved for students from the Commonwealth and other friendly foreign countries. A few civilian officers from the IAS, the Defence Science Service and the Naval Armament Service are also deputed to attend the course for a better understanding of the problems of India's Armed Forces. The training is spread over a period of ten months (reduced to seven months during the emergency).

The College is ideally situated in the Nilgiris where different types of terrain are available for all types of military exercises under realistic conditions.

**(ii) National Defence College :** The National Defence College was started in New Delhi in 1960 to provide joint training and instruction to senior Service and civilian officers in dealing with the wider problems relating to the defence of the country. Their studies relate to strategic, economic, scientific, political and industrial aspects of national defence. The College provides an opportunity to senior Service officers and highly placed civilian officers for meeting and exchanging views for a better understanding of each other's problems. Till 1960, India used to send officers of the three Services to attend courses at the Imperial Defence College in the United Kingdom, where the vacancies offered were limited. The Estimates Committee (1958-59), in its report to Parliament strongly recommended that, as the training imparted at the Imperial Defence College was useful, a similar college should be set up in India. The recommendation was accepted by the government.

Service officers of the rank of Colonel and above in the Army, and of equivalent ranks in the Navy and Air Force who have already held responsible jobs and may reasonably be expected to hold even more responsible jobs are selected to attend the course. Civilian officers from the civil services and some scientists are also nominated by the authorities concerned.

The aim of the College is to train the selected officers so as to be capable of holding key jobs in the structure of the country's defence, economy and administration both in peace and war.

The course aims at giving the students an idea of the great complexity of problems that confront men and governments today.

It also aims at giving them an idea of the effect, both on national and international policies, of the adoption of the various solutions of the problems. Lectures by distinguished men of affairs—politicians, soldiers, diplomats, civil servants, professors as well as practical business leaders and industrialists—enable the students to obtain a first hand account of how these problems strike those who are actually concerned in formulating or implementing policies.

During vacations, students visit different countries; these visits give them ample opportunities of seeing industrial plants and of understanding the civil and defence organizations.

All this knowledge is supplemented by selected but extensive reading. The process of absorption of knowledge derived in these various ways is strengthened by studies of specific problems. Students are grouped together into syndicates for the purpose of such studies. Each syndicate produces its own solution after a prolonged study and by discussion among its members. A careful comparison of the different approaches and opinions of different syndicates produces very interesting and instructive lessons. It is in solving the problems in this manner, against the background of his own knowledge and experience, of the knowledge and experience contributed by his fellow students, of the ideas thrown out by the visiting lecturers, and of the study of a wide range of books, that the student educates himself. He realizes the vital necessity of ascertaining and sifting facts. He discovers the extent of the basic similarities of human tendencies, and above all acquires a healthy respect for the other fellows' point of view and ceases to be dogmatic.

**(iii) Institute of Armament Technology, Kirkee (Poona) :** This institute provides facilities for research in various sciences and technical subjects connected with armaments, vehicles, equipment and electronics. It also conducts advanced courses for the Technical Staff Officers Course, as also in weapons and electronics.

**(iv) Armed Forces Medical College, Poona :** This is a first class medical college for training of newly-commissioned medical officers. Apart from running refresher courses and specialist courses, it conducts research in subjects related to the health of men and officers of the Armed Forces. It now also prepares students for the MBBS examination of the Poona University. The Director-General of the Armed Forces Medical Services administers the College with the assistance of an Academic Council consisting of experts on medical education. The College came into existence in May, 1948, and is a recognized institution of Poona University.

**(v) School of Land-Air Warfare :** Started at Secunderabad in 1960, this establishment is run by the Air Force to foster inter-Service



understanding of the organization of each Service in tactical warfare.

**(vi) Himalayan Mountaineering Institute :** To encourage men and officers of the Armed Forces and the youth of the country to take to mountaineering as a sport, the institute was set up at Darjeeling. There is another similar institute at Manali, and the Nehru Institute of Mountaineering in Uttar Kashi.

**(vii) Training Abroad :** A limited number of officers from all the three Services are sometimes sent abroad also, to countries such as UK, USA, USSR, etc., on courses of instruction to keep abreast with the latest techniques.

## **(b) Army**

**(i) Infantry School, Mhow :** Formed in 1946, this school imparts infantry training to officers of all Arms and Services in infantry tactics and techniques. It conducts Junior Commanders' and the Senior Commanders' courses, and the courses in tactical and administrative handling of units and sub-units of all Corps. Specialized training for the various important weapons held by an infantry battalion is also carried out. Officers, JCOs and NCOs are also trained as instructors in all weapons of infantry rifle platoons.

The school's training programme has been reoriented to fit men and officers to face the peculiar problems of mountain warfare.

**(ii) Armoured Corps Centre and School, Ahmadnagar :** The school undertakes the training of regimental instructors, squadron commanders and regimental commanders of the Corps.

**(iii) Artillery School, Deolali :** This is the main training institution for men and officers of the Corps of Artillery, providing training in field, counter bombardment and Air Defence artillery, while its branch at Bombay gives training in coastal artillery. A separate wing of this school teaches the trainees the art and skill of deploying the guns in the field. Originally established at Kakul, it moved to Deolali in 1941.

**(iv) College of Military Engineering :** It was founded in 1943 at Roorkee when it was called the School of Military Engineering. It moved to Kirkee in 1946 and developed into the College of Military Engineering. The college imparts training to officers and Other Ranks of engineers and other arms in all aspects of field engineering. It also trains and tests Sappers in higher trades training. In addition to other small courses as in transportation, bridging, bomb disposal for the Engineer Officers, the college also conducts longer courses of over two years up to degree standard for engineers, signals and electrical and mechanical engineers. Along with the graduate course

run for officers of the Corps of Engineers, specialized training in petroleum and ammunition handling is carried out for Army Supply Corps, Army Ordnance Corps and officers of other Arms.

Though the stress is on practical military engineering, there is ample provision for games and sports like shikar, gliding, sailing and riding.

(v) **Other Schools and Training Centres :** There are a number of other Army training centres and schools. Some of these are—School of Signals, Mhow ; Electrical and Mechanical Engineering School, Secunderabad; Physical Training School, Poona; Army Ordnance Corps School, Jabalpur; Intelligence School, Poona; the Army Service Corps School, Bareilly ; the Remounts and Veterinary Corps Centre and School, Meerut; the Army and Air Transport Support School, Agra; the School of Mechanical Transport, Faizabad; the Corps of Military Police Centre and School, Faizabad; the Army Educational Training College and Centre, Pachmarhi.

There are a number of training centres for the training of recruits, namely, the Electrical and Mechanical Engineering Centre at Trimulghery, Secunderabad; the Second EME Centre at Allahabad; the Signal Training Centre at Jabalpur ; the Armoured Corps Centre at Ahmadnagar; the Artillery Centre at Nasik; the Second Artillery Centre at Hyderabad; the Madras Engineer Centre at Bangalore; the Bengal Engineer Centre at Roorkee; the Bombay Engineer Centre at Kirkee ; the Remounts and Veterinary Corps Centre at Meerut ; the Army Medical Corps Centre at Lucknow; the Army Ordnance Corps Centre at Secunderabad; the Army Service Corps Centre (South) at Bangalore; the Second ASC Centre (North) at Meerut; the Army Educational Corps Centre at Pachmarhi; the Corps of Military Police Centre at Faizabad; and the Army Postal Service Centre at Kamptee.

### (c) **Navy and Air Force**

Similarly, for the post-Commission training of Navy and Air Force officers there are several institutions where higher and specialized training is imparted. Apart from training and refresher courses in their own institutions, a few selected officers of these Services are also sent to non-military institutions like the University of Roorkee for specialized courses.

## **VI. Welfare**

**Before 1939 :** At the end of 1914-18 War, the Indian Soldiers'

Board (ISB) was formed to watch the interests of serving personnel and ex-servicemen and their dependents. Under it were set up District Soldiers' Boards (DSBs) in heavily recruited districts.

The activities of DSBs were supervised by the Recruiting Organization which, however, was too small to do much. In 1939, there were approximately 97 District State Soldiers' Boards throughout India; nearly the whole cost of them was borne by the ISB Fund, the income of which was barely about Rs. 59,000.

The ISB (later known as the Indian Soldiers', Sailors' and Airmen's Board, or ISSAB) controlled the following funds for giving financial assistance to servicemen and their families :—

- (i) Indian Army Benevolent Fund, later styled the Indian Defence Services Benevolent Fund.
- (ii) India and Burma Military and Marine Fund, later called the Defence Forces Relief Fund.
- (iii) Sir Victor Sassoon Fund.

**During the Second World War :** In 1939, when the Second World War broke out the Soldiers' Board Organization was much handicapped through lack of funds and interest. No plan existed for revitalizing it or for giving it any assistance from military sources. Only when it broke down completely and the serious results of the breakdown on the morale of serving men were recognized that action was taken to improve matters. As a first step the government allotted funds for an increase in the staff required for additional Boards, but that too was not enough. Later, with the introduction of the Civil Liaison Organization (CLO) and male and female welfare workers, the situation improved, and the Servicemen's family affairs were attended to slowly but surely.

As more District Sailors', Soldiers' and Airmen's Boards were opened, the ISSAB was unable to meet the additional expenditure. The central government, therefore, accepted the commitment and the number of District Boards in the provinces finally reached 174. There were in addition 35 Boards set up in the princely states assisted by the centre ; five other states set up similar Boards and paid their entire expenses themselves. There was thus a total of 214 District Boards.

After attainment of independence, though some changes and improvements were made in the working and organization of the ISSAB and the District SSABs, major changes had to wait till after the declaration of emergency in 1962, when the ISSAB was reconstituted with a view to providing greater representation for the states and for senior ex-service officers.

**Directorate General of Resettlement :** There is a Directorate General of Resettlement under the Ministry of Defence which is

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responsible for the twin tasks of resettlement of ex-servicemen (of whom about 45,000 need help for resettlement in civilian life every year) and welfare of the families of servicemen. The Director General, Resettlement (DGR) discharges his functions through his Directorate and through the Indian Soldiers', Sailors' and Airmen's Boards at state and district levels. The secretariat of the ISSAB is the apex body of the 3-tier organization of the Boards and forms a part of the Directorate General of Resettlement. The most important links in the chain of this organization are District Boards through which field work is done and contact established with families of servicemen and with ex-servicemen. These function under the supervision of the state government ; but while the expenditure of the State Soldiers', Sailors' and Airmen's Boards is met entirely by the state governments, that of the District Soldiers', Sailors' and Airmen's Boards is shared equally between the centre and states. There were 22 State Soldiers', Sailors' and Airmen's Boards, four Boards in union territories and 213 District Boards in the country in 1975-76.

The Resettlement Directorate consists of five wings dealing with employment, self-employment, training, publicity and statistics. In addition there are four Directors of Resettlement at four Regional Centres to serve as a link between the centre and the state authorities and guide private and official bodies on the needs of ex-servicemen. They ensure implementation of various schemes of resettlement in conjunction with local authorities.

**Work :** For employment of ex-servicemen following measures are adopted : (i) reservation of posts in central government departments and public sector undertakings; (ii) sponsoring of names by employment exchanges; and (iii) absorption in para-military forces. For self-employment, they are given loans, technical advice for starting enterprises, land for those who wish to do farming, farm tractors, cars and auto-rickshaws for plying as taxis. The Indian Oil Corporation offers agencies for distribution of Indane gas, petrol and kerosene oil as means of resettlement of widows and dependents of personnel killed in action or on duty, disabled personnel and ex-servicemen. Other measures for the dependents and disabled are liberalized pensions, free education for children, reservation of posts, vocational training, *ex-gratia* grants, medical treatment and after-care of the disabled, etc., etc. Other amenities provided are stipends to servicemen disabled in operations for receiving training in technical schools and industrial establishments, setting up of cooperatives for starting enterprises like the Ex-Servicemen's Woolen Mill at Navalgarh in Rajasthan, and housing colonies.

Even though all the states have made reservations up to 15 per

cent in their own housing schemes for defence personnel, including the disabled, war widows and ex-servicemen and separate defence housing colonies have also been set up in the past at Chandigarh, Churu (Rajasthan), Dehra Dun, Goa, Hissar, Jullundur, Ludhiana, Mohari (Punjab), Pune and Panchkula (Haryana), there are large number of ex-servicemen who are facing great difficulty in finding houses. States are being requested to spare more land for setting up housing colonies and to make larger reservations of plots and flats for ex-servicemen in their housing schemes.

During the period January-March, 1972, a series of decisions were taken to extend various benefits and facilities to the war bereaved families, particularly the widows and to the disabled and their dependents. A special organization was created in the Ministry of Defence to attend to this work which required concerted action by different ministries of the central government and by the state governments. Of the total number of 3,691 personnel estimated to have been killed during the Indo-Pak conflict of 1971, 2,314 were married. This number includes 111 officers and 2,203 JCOs/ORs and equivalent ranks. The most significant part of the rehabilitation scheme for these families is the liberalized pension scheme which compares with the best in the world. This has also been extended to the casualties of the conflicts earlier to 1971.

**Welfare Workers :** In 1963-64, 61 welfare workers were appointed as an experimental measure in some of the Boards functioning in Punjab, Rajasthan, Maharashtra, Madras and Uttar Pradesh, to serve as a link between the Boards and ex-servicemen. The scheme proved useful in these states and was later extended to all states by the appointment of more welfare workers. The expenditure on this account is being shared equally between the central and state governments.

**Amenities :** Various types of amenities are provided but a new one introduced after the Indo-Pakistan conflict of 1965, of particular interest to the families of the *jawans* may be mentioned. A special programme was introduced with the help of All India Radio for broadcasting messages of a personal nature, in their own voice and mother tongue by the *jawans* stationed in forward areas to their families and friends.

**Welfare Funds :** There are various funds in existence which assist or finance welfare activities for both serving personnel and ex-servicemen. These are :

- (i) Armed Forces Reconstruction Fund (mainly for provision of amenities to serving personnel and other welfare schemes).

- (ii) **Armed Forces Benevolent Fund.**
- (iii) **Military Nurses Benevolent Fund** (for helping ex-nursing officers in distress).
- (iv) **Indian Gorkha ex-Servicemen's Welfare Fund** (for stipends for school and higher education to the children of Gorkha ex-servicemen).
- (v) **Flag Day Fund.** Allocations from this fund are made to different organizations for assisting various welfare activities but the biggest single allocation is to various states for replenishment of their benevolent funds for ex-servicemen. Among other beneficiaries are Services Sports Control Board, Indian Red Cross Society for Medical After-Care Fund, military hospitals etc.
- (vi) **Indian Soldiers', Sailors' and Airmen's Board Fund.** From this fund, different welfare activities are financed and helped, a typical example of which is the special pensions granted to ex-servicemen blinded during World Wars I and II, operations in Jammu and Kashmir, police Action in Hyderabad and in Indo-Pak conflicts of 1965 and 1971. These pensions are in addition to those granted by government in the normal course.
- (vii) **Army Relief Fund.** Relief grants from this fund are given to families of officers, JCOs, etc.
- (viii) **Special Fund for the Reconstruction and Rehabilitation of ex-servicemen.** After the Indo-Pak Conflict of 1965 it was decided to set up a new Special Services Fund for Reconstruction and Rehabilitation of ex-servicemen with an initial contribution of Rs. 5 crores from the National Defence Fund and an annual contribution of Rs. 1 crore initially for a period of 3 years from the Defence Budget. Eighty per cent of the total amount was distributed to the states and union territories on the basis of the strength of the recruits. Payments of the contribution from the Defence Budget was made subject to the state governments and union territories making an equal contribution. The fund was meant to be utilized for the welfare and resettlement of ex-servicemen and their dependents.

**Canteen Stores Department :** The Canteen Stores Department (India) is a departmental undertaking of the government. Though run on commercial lines, its objects are two-fold. These are firstly to ensure essential supplies of payment issues to the troops at reasonable rates throughout the country and secondly, to provide certain funds to meet the various welfare needs of the troops which cannot

normally be met from government grants. The business of the Department has continued to grow. The turnover during 1974-75 was Rs. 5,362.77 lakhs as against the previous year's turnover of Rs. 4,270.94 lakhs.





## LAW AND JUSTICE

### I. Evolution and Survey of Indian Law

**Evolution of Indian Law :** The story of the evolution of Indian law over the seventeenth, eighteenth and nineteenth centuries can be well described as the gradual substitution of the principles of English common and statute law suitably adapted to Indian conditions in place of the prevailing systems of Muslim and Hindu law, except in the region of personal laws of the various communities. The principal agencies through which this great revolution—called by Sir Frederick Pollock “The Expansion of Common Law in India”—was worked, were the officers-in-charge of the administration who framed their laws and regulations on the English pattern, the framers of the great Indian Codes, themselves distinguished English jurists, and the lawyers and the judges brought up in the traditions of English jurisprudence who helped in and presided over the administration of justice.

The growth of jurisprudence so closely modelled on the English pattern would have caused no surprise, had the English settlements in India been in an uninhabited or barbarous country. We know, however, that these settlements were made “by a few volunteers for the purpose of trade in a very populous and highly civilised country under the government of a powerful Mohammedan ruler, with whose sovereignty the English Crown never attempted nor pretended to interfere for some centuries afterwards.” At the time these settlements started, the Muhammadan rulers who were in control of most parts of the country allowed the inhabitants to be governed in civil matters by their personal laws, so that, in matters of contract, inheritance, succession and so forth, Hindus would be governed by their own laws, and so would be subjects belonging to other persuasions like Muslims and Christians. However, the criminal law which was administered by the Muslim rulers was the Muhammadan criminal law. But, in parts of the country where Muhammadan rule had not penetrated, the criminal law applicable in the case of Hindus would be the Hindu criminal law. The gradual, but powerful, infiltration of English principles of jurisprudence into India is all the more surprising, because the Hindu and Muslim systems of law which prevailed in the greater part of the country were ancient and well-developed systems of juris-

prudence. Before we enter upon an account of the entry and growth of English jurisprudence into India, it is necessary to have a brief look at the prevailing Hindu and Muslim systems.

**Hindu System :** As in the case of most ancient systems of law, the Hindu *dharmaśāstras* dealt with religious as well as moral law, the duties of castes and kings as well as civil and criminal law. However, these *smṛiti* writers (the ancient Hindu law-givers) drew a distinction between *vyavahara* or the law, the breach of which may result in a judicial proceeding, and law or *dharma* in the wider sense. It is now well accepted that the Hindu rules of *vyavahara* or civil law relating to marriage, adoption, partition and inheritance, were, in the main, based on actual usages, though, as society developed, they were, to an appreciable extent, modified or supplemented by Hindu jurists, who expounded the law largely in the form of commentaries on the texts of the ancient *smṛitis*<sup>1</sup>.

The high stage of development which the Hindu law had reached, is shown by the eighteen titles of law mentioned by Manu<sup>2</sup>, under which detailed rules of law were set out. These are (i) non-payment of debts, (ii) deposit and pledge, (iii) sale without ownership, (iv) concerns among partners, (v) resumption of gifts, (vi) non-payment of wages, (vii) non-performance of agreements, (viii) rescission of sale and purchase, (ix) disputes between the owner and his servants, (x) disputes regarding boundaries, (xi) assault, (xii) defamation, (xiii) theft, (xiv) robbery and violence, (xv) adultery, (xvi) duties of man and wife, (xvii) partition and inheritance, and (xviii) gambling and betting. These titles and rules under each head were, no doubt, devised to meet the needs of an early society. As acknowledged by the *smṛitis* themselves, they were based partly on usage, partly on regulations made by the rulers and partly on decisions arrived at as a result of experience<sup>3</sup>. Naturally, therefore, as changes came about in society, these rules came to be altered so as to conform to the changed ideas, the great Hindu commentators playing a great part in bringing about these modifications.

*Vyavahara* or positive law was, broadly speaking, shaped by the rules in the *dharmaśāstras*, by custom and by the king's ordinances. In the absence of specific applicable rules, the rules of equity and reason prevailed. It was also recognized that in the case of conflict between the law laid down in the *śrūtis* and *smṛitis* (sacred law) and *dharmaṇyaya* (king's law), the latter prevailed.

Elaborate rules of procedure were also developed by Hindu law.

1. Mayne J.D.—*Hindu Law and Usage*, Madras, 1900, pp. 7-8.

2. *Manu Smṛiti*, chapter VIII.

3. Mayne, J.D. *op. cit.*, pp. 14-15.

The heads of plaint, answer, proof and decision in *Narada* and *Yajnavalkya smritis* make interesting reading. The king was required to determine according to the substance of the thing by eliminating all false pleas. There was also a law of evidence which dealt with burden of proof, documents, witnesses, mode and order of examination of witnesses, demeanour of witnesses, hearsay evidence, false evidence and possession as evidence. The rule of *res judicata* was also known and enforced. There were also provisions for surety or security for the satisfaction of decrees and rules for impleading the legal representatives of deceased parties.

**Hindu Criminal Law :** Like the civil law, Hindu criminal law was, in its origin, partly religious, partly moral and partly legal in the strict sense of the term<sup>4</sup>. Offences were classified under the broad categories, namely, homicide, theft, violating the chastity of another's wife, violence and miscellaneous<sup>5</sup>. Punishment was four-fold—admonition, reproof, fine and corporal. It was meted out after considering the offender's pecuniary condition and the crime committed by him<sup>6</sup>. According to Manu, the punishments were imprisonment, detention, mutilation or death and fine. There was, however, an ascending and descending scale of severity of punishment according to the caste of the offender being inferior or superior—the higher the caste, the lighter the punishment. This rule, however, tended gradually to change with the lapse of time.

Of the main objects of punishment, namely, vengeance, deterrence, expiation and reformation, the dominant note of ancient penal law of India was deterrence ; it never favoured vengeance. It was realized that the value of punishment lies in effecting good of the society and that punishment was an instrument of social defence rather than an instrument of retaliation.

**Muslim Law :** The *Quran* was the repository both of civil and criminal law. The Muslim law has several schools ; but there is amongst its different schools a large measure of agreement, because, the starting point and the basic principles are identical. A digest of Muslim law called the *Fatawa-i-Alamgiri* was prepared under the directions of emperor Aurangzeb. The Muslim judges who were called *qazis* chiefly followed the *Quranic* injunctions, the *Fatawa-i-Alamgiri*, the previous interpretations of law by eminent jurists and the *qanoons* or ordinances of the emperors. They did not, however, ordinarily disregard customary law and sometimes also followed the principles

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4. Sen, P. K., *Penology, Old and New* (Tagore Law Lectures), Calcutta, 1943, p. 81.

5. *Ibid.*, p. 123.

6. *Ibid.*, p. 126.

of equity. The emperor's interpretation prevailed, provided it did not run counter to the sacred law.

Both the *Sunni* and *Shia* schools of law operated in India. Broadly, they deal with all aspects of civil law, particularly, matters of succession, inheritance, wealth, gifts, *wakfs*, pre-emption, marriage, dower, maintenance of wives and relatives, divorce, parentage, legitimacy and acknowledgement, guardianship of persons and property and so forth. These laws interpreted by a number of judicial decisions constitute the law governing the Muslims in India to-day, subject to rules enacted by statute law.

The Muslim criminal law needs greater notice, as it continued to be the substantive criminal law in force in India upto the coming into force of the Indian Penal Code. Muslim jurisprudence, as we gather from the *Hidaya* and *Fatawa-i-Alamgiri*, had four broad principles of punishment viz., (i) retaliation (*qisas*), (ii) blood money (*diyut*), (iii) fixed punishment (*hadd*) and (iv) discretionary and exemplary punishments (*tazir* and *siyasa*).

The principle of retaliation was life for life and limb for limb. This head of offences against a person was restricted to wilful homicide (*jinayat*), maiming and wounding. Retaliation was dealt with under two heads—cases of death and cases short of death. In case of death, retaliation was considered to be the right of man in contradistinction to the right of God. Detailed rules were enacted for the devolution of this right under various conditions. It being regarded as a private right, its possessors were at liberty to remit their claim and to forgive the offender or compound with the murderer for compensation. The punishment of death was inflicted by the *qazi* and was carried out by decapitation.

The principle of blood money was applied in case of homicide and meant punishment by fine or award of compensation. In all cases of wilful homicide, the punishment of retaliation was exchangeable with that of blood money.

The third principle of punishment (*hadd*) is defined in *Hidaya* as comprising specific penalties fixed with reference to the right of God, in other words, the needs of public justice. It was distinguished from retaliation, which was considered the private right of a man, as well as from *tazir*, which was indefinite and left to the discretion of the *qazi*. The aim of this punishment was to deter the offenders from criminal acts injurious to the community. It extended to the crimes of adultery, illicit sexual intercourse between married and unmarried persons, false accusation of incontinence, drinking of wine, theft and highway robbery.

The last principle of punishment — *tazir* and *siyasa* (discretionary and exemplary punishments respectively) — was a matter resting

entirely on the discretion of the *qazi* or the judge. Under *tazir*, the punishment could be stripes, public exposure, imprisonment or banishment. The Muslim law vested in the sovereign and his delegates the power of sentencing criminals to suffer discretionary punishment (*tazir* and *siyasa*) in three kinds of cases. Firstly, in cases where no specific penalty of *hadd* or *qisas* had been provided by the law. These were offences which were not of a heinous nature and, therefore, the punishment for them was discretionary. Secondly, cases of crimes which fell within the specific provisions of *hadd* and *qisas*, where proof of such crimes might not reach the standard required by the law, though the evidence may be sufficient to create a strong presumption of guilt. Thirdly, cases of heinous crimes very injurious to society, and particularly, cases of repeated offences of such a description which, for the ends of justice, required to be exemplarily punished.

Though the punishments provided by Muslim law were, in some cases, barbarous, in fact, it was in some matters less rigorous than the English criminal law of those days, which prescribed the punishment of hanging for the theft of trivial articles.

**Introduction of Common Law :** The history of present-day Indo-British jurisprudence commences with the formation of the London East India Company in 1600 in the reign of Queen Elizabeth I. The Charters of Queen Elizabeth and James I granted to the Company in the years 1600 and 1609 gave the "power to them to make, ordain and constitute such and so many reasonable laws, constitutions, orders and ordinances to them . . . shall seem necessary . . . so always that the said laws, orders, constitutions, ordinances, imprisonments, fines and amerciements be reasonable and not contrary or repugnant to the laws, statutes, customs of this our realm". Though the Company's factories, which were small areas, were, generally speaking, a part of the dominion of the Mughals, the Company had endeavoured to obtain the ruler's premission to administer their own laws in these areas.

In 1661, the Charter of Charles II gave to the government and council of several places belonging to the Company the power "to judge all persons belonging to the said government and Company or that should live under them in all causes, whether civil or criminal, according to the laws of this Kingdom and to execute judgment accordingly." These general powers were understood to restrict the law to be administered in these areas to those that were in force in England. Almost contemporaneously with that Charter came the Charter of Charles II, transferring the island of Bombay to the Company. It also required the Company to enact laws "consonant to reason, and not repugnant or contrary to" and "as near as may be agreeable to" the English laws. Courts were established in the island with rules of

procedure similar to those in England. The provisions noticed above came to be applied to what later became the Presidency towns of Calcutta and Bombay.

In 1686 and 1694, the Company purchased certain villages in Bengal with the consent of the Nawab of Bengal and acquired the status of a *zamindar* in regard to these villages. As a *zamindar*, the Company held the *zamindar's* courts exercising both civil and criminal jurisdiction. As these courts derived their authority from the Mughals, the law administered in them was similar to those in the courts where other *zamindars* exercised their jurisdiction.

The Company gradually increased the area of its supervision and control over places surrounding their growing factories. The surrounding areas were called *mofussil* in contradistinction to the Presidency towns. These Presidency towns played a leading role in the introduction of the English law into India.

In the year 1726, Mayor's Courts were created in the Presidency towns. The Letters Patent of these courts enabled them to give judgment and sentence "according to justice and right". Englishmen who were charged to make 'justice and right' the rule of decision naturally drew upon the rules of the common law and the prevalent statute law in England, in so far as they thought them applicable in the circumstances of the country. It is well accepted that by this Charter, "the law of England—both common and statute law—at it stood in 1726", was introduced into the Presidency towns.

It appears that, with the Charter of the Mayor's Courts in 1726, the Company had sent to each Presidency a book of instruments and various forms prescribing the method of proceedings in civil suits, criminal trials and other matters. This was, again, an effort to keep the Mayor's Courts "in the straight and narrow path of English law". Having regard, however, to the difference between the conditions in England and India and between the courts in England and the courts in India, difficulties arose in literally following the English law and procedure, and this brought about an amendment in 1753 of the Charter of 1726. The amended Letters Patent of 1753, re-establishing the Mayor's Courts, expressly exempted "from the jurisdiction of the Mayor's Court all suits and actions between the Natives only and directed that these suits and actions should be determined among themselves, unless both parties submitted them to the determination of the Mayor's Court". This provision is considered to be the first reservation made in favour of the laws and customs of the Indians. Though suits between Indians resident in those towns could be entertained by these Mayors' Courts only with the consent of the parties, such consent was freely given, as the courts and the law administered by them appeared

to have commanded the confidence of the Indian residents. They continued to resort to these courts to much the same extent as they had done before.

The position, however, was different in the *mofussil*, where the Company's Courts had gradually changed their character, becoming more and more the courts of the ruling power rather than the courts of the *zamindar*. In 1765, the Company obtained by the *firman* of the Mughal the Diwani of Bengal, Bihar and Orissa, which was regarded as the virtual acquisition by the Company of the sovereignty of these regions. The law administered by these courts in the *mofussil* was, however, not the English law, but the law of the Mughals, to which the people had been accustomed.

When Warren Hastings decided to set up civil courts in Bengal, Bihar and Orissa after the Company had become the sovereign of these territories, he laid the foundation of the application of their personal laws to Hindus and Muhammadans, which has continued till today. Regulation II of 1772 provided that these subjects of the King of England were to be governed by their own laws in "suits regarding inheritance, marriage and caste and other religious usages and institutions". In 1781 was added the word 'succession' to the word 'inheritance', and it was declared that, where no specific directions were given, the judges were to act "according to justice, equity and good conscience". This rule of decision by "equity and good conscience" was generally interpreted by these courts "to mean the rules of English law, if found applicable in Indian society and circumstances."

The differing systems of law which were thus being applied in the Presidency towns and the *mofussil* created conflicts and anomalous situations. This led to the enactment of Act of Settlement of 1781. By that statute and by the later statute of 1797, the Supreme Court which had by that time been established in Calcutta and the Recorder's Courts which were then functioning in Madras and Bombay were empowered to determine all actions and suits against the inhabitants of the said towns, provided that their succession and inheritance to lands, rents and goods and all matters of contract and dealing between party and party should be determined, in the case of Muhammadans, by the laws and usages of Muhammadans, and, in the case of Hindus, by the laws and usages of Hindus; and, where only one of the parties should be a Muhammadan or Hindu, by the laws and usages of the defendant. The effect of these statutes was to take away the application of the English law to Hindus and Muhammadans in the matter of contracts and other matters enumerated in the statutes and to provide that they were to be governed in these matters by their own laws and usages.

In the *mofussil*, after the Company had become the sovereign of the territories of Bengal, Bihar and Orissa, it had established two superior courts—the *Sadr Diwani Adalat* (the final Court of Appeal in civil matters) and the *Sadr Nizamat Adalat* (the final court of criminal appeal). Subordinate to these superior courts were the District *Diwani* and *Fauzdari Adalats*. A regulation made in 1781 provided that in “all cases within the jurisdiction of the *Mofussil Diwani Adalats*, for which no specific directions are hereby given, the respective judges thereof do act according to justice, equity and good conscience”. A similar provision was also made in regard to the *Sadr Diwani Adalat*. What has been said so far relates to the *mofussil* of Bengal. But the same system of administration of justice and similar regulations as to the laws which were to be applicable were soon extended to other parts of the country. Thus, even in the *mofussil*, the rule of decision in accordance with justice, equity and good conscience in the absence of specific directions meant, in substance and in the circumstances, the rules of English law wherever applicable. The vast gaps and inter-spaces in the substantive law were filled by the principles of English common and statute law. The wide door of ‘justice, equity and good conscience’ made it easy for these principles to become, through decisions of the courts, the governing law of the country.

As to criminal courts in the *mofussil*, they were guided principally by the Muhammadan Criminal Law, which remained in force in Bengal and Madras till the enactment of the Indian Penal Code of 1860. But, wherever its rules were found repugnant to British notions of crime and punishment, they were, from time to time, modified by regulations made by the local governments.

In the Presidency of Bombay, however, Muhammadan Criminal Law generally did not prevail, Hindus being tried by their own criminal law and Parsis and Christians by English law. In this Presidency, regulations were passed from time to time, defining offences and specifying punishments till the coming into force of the Indian Penal Code of 1860.

The lawyer and the common man of the time must verily have been at a loss to decide what the law applicable to a particular set of facts was. Apart from common law rules and the personal laws of the parties, there would appear to have been five different bodies of statute law in force. There was the whole body of the English statute law existing in 1726, which applied atleast in the Presidency towns. Parliament had, subsequent to that date, enacted Acts which were extended to parts of India. The Governor-General in Council had also passed regulations, commencing with the revised Code of 1793, which was in force only in the Presidency of Bengal. Similarly, there were



regulations of the Madras Council enacted over a long period which were in force in the Presidency of Madras. Finally, there were in the Presidency of Bombay the regulations of the Bombay Code, starting from 1827.

**Law Commissions and Codification :** This medley of laws led to the enactment of the Charter Act of 1833, which provided for the appointment of the first Law Commission of India. Macaulay who spoke on the second reading of the Bill in Parliament, said : "I believe that no country ever stood so much in need of a code of law as India, and I believe also that there never was a country in which the want might be so easily supplied. The principle is simply this,—uniformity when you can have it; diversity when you must have it; but, in all cases, certainty."<sup>8</sup> Thus was India launched upon the preparation of a series of codes, which, as we shall see, were, in substance, the codification of the principles of English law, in so far as they could be applied to Indian conditions.

The First Law Commission presided over by Macaulay prepared a draft of the Indian Penal Code of 1860, perhaps the most outstanding of the Indian codes. It is based on the principles of criminal law of England and has, with little alteration, been administered with satisfaction for over a century. The activities of the Second Law Commission led eventually to the passing of the first Indian Code of Civil Procedure in 1859 and the first Limitation Act of India in the same year. In 1860 and 1861 came the enactment of the Indian Penal Code and the Code of Criminal Procedure. The appointment of the Third Law Commission in 1861 led to the enactment of a general law of succession, to the codification of the Law of Contract and Evidence in 1872, and, finally, in 1877, to the enactment of a Law of Specific Relief embodying the equitable principles on which the courts of equity in England had dealt with the subject. The appointment of the Fourth Law Commission in 1879 resulted in the enactment of the Negotiable Instruments Act in 1881 and of the Trusts Act, the Transfer of Property Act and the Easements Act in 1882. Thus, the labour of these Commissions consisting of eminent English jurists spread over half a century gave to India a system of codes dealing with most of the important parts of substantive and procedural civil and criminal law.

No doubt, a large part of the law applicable to India, both substantive and procedural, had been codified. But, in the codes were incorporated principles of English law with variations needed by Indian conditions. Indeed, the codes explained and clarified the meaning of the

8. Cited by C. Grant before Committee on the Charter Act, *Hansard*, 3rd series, Vol. 18, p. 729.

rules laid down by them by illustrations which were based on English decisions. The commissions we have referred to and the codes compiled by them became powerful instruments which injected English common and statute law and equitable principles into the expanding structure of Indian jurisprudence.

The process of the introduction of English law into India was thus described by Sir Frederick Pollock in 1895 :

"In British India, the general principles of our law, by a process which we may summarily describe as judicial application confirmed and extended by legislation, have, in the course of this century, but much more rapidly within the last generation, covered the whole field of criminal law, civil wrongs, contract, evidence, procedure in the higher if not in the lower courts, and a good deal of the law of property. . . . . It is not too much to say that a modified English law is thus becoming the general law of British India—The Indian Penal Code, which is English criminal law simplified and set in order, has worked for more than a generation, among people of every degree of civilisation, with but little occasion for amendment. In matters of business and commerce, English law has not only established itself but has been ratified by deliberate legislation, subject to the reform of some few anomalies which we might well have reformed at home are now, and to the abrogation of some few rules that had ceased to be of much importance at home, and were deemed unsuitable for Indian conditions. More than this, principles of equitable jurisprudence which we seldom have occasion to remember in modern English practice have been successfully revived in Indian jurisdiction."

Apart from these agencies which exerted their powerful influence in moulding Indian jurisprudence on the pattern of English law, the highest court of appeal—the Privy Council—to which a right of appeal was granted by Royal Charter from the judgments of the courts in India in 1726, also was a potent force which worked in the same direction. This highest court of appeal, composed of distinguished judges, powerfully moulded Indian law, importing into Indian jurisprudence notions which they had imbibed from their training in English law. This influence extended even to the decisions of this tribunal in matters concerning personal laws of the Hindus and Muslims, so that these personal laws also were in a manner affected by the doctrines and theories of English law.

This infiltration of the doctrines and principles of English common and statute law into Indian jurisprudence was not restricted to substantive law only. It included many basic ideas underlying English jurisprudence. The most striking feature of the English common law is its public law. "It is primarily a method of administering justice."

The principles of this public law also entered Indian jurisprudence through the same avenues. A modified jury system, the writ of *habeas corpus* with suitable adaptations, the independence of the judiciary conformable to Indian conditions, the adversary system of trial, the system of precedents, the rule of law as understood by Dicey and even the principles of equity became a part of the Indian jurisprudence.

The story of the evolution of law in India is thus, except in the case of personal laws, but the story of gradual introduction into Indian jurisprudence of the basic principles underlying English common law, statute law and judicial decisions. Some of these principles have entered and affected the personal laws of Hindus, Muslims and other communities. It must not, however, be forgotten that the application of the English principles had to conform to Indian circumstances and conditions. The adoption of the rules of English law by the Indian courts was neither automatic nor uncritical. Although they started with a presumption that a rule of English law would be in accordance with the principles of justice, equity and good conscience, they bore in mind the reservation which was later expressed by the Privy Council in the words : "If found applicable to Indian society and circumstances."<sup>9</sup> In several cases, the courts refused to apply the rules of English law on the ground of their being inapplicable to Indian circumstances. It would, therefore, be correct to describe the process by which Indian jurisprudence was built up as "a selective application of the English law in India."

We proceed next to a very broad survey of the Indian jurisprudence, apart from personal laws, which resulted from this evolutionary process.

**Survey of the General Principles of Law :** Ever since 1860, the substantive criminal law of India is to be found in the Indian Penal Code and the adjectival law of criminal procedure in the codes of Criminal Procedure Code of 1861 and later dates.

"The Indian Penal Code has been described as the criminal law of England freed from technicalities and superfluities, systematically arranged and modified in some few particulars (they are surprisingly few) to suit the circumstances of British India", said Stephen. Sir Frederick Pollock thought that the Code was "English Criminal Law simplified and set in order."

A remarkable feature of the Code is its use of "the most ordinary English terms to distinguish the different offences, thus giving point and precision to the English language and making for accuracy of thought in practical affairs." Another feature is the employment of illustrations in order to explain the true ingredients of the crimes set

9. *Waghela Rajsanji v. Shekh Masludin* (1887) 14 Ind. App. pp. 89 and 96.

out in its sections. This is said to be "a device suggested by Bentham." It is, however, made clear that the whole law is contained in the definitions and enacting clauses and that the illustrations made nothing as law which would not be law without them.

The scheme of the Code is to divide offences into different categories and deal with them in separate chapters, for example, offences against the State, offences relating to the Army, Navy and Air Force and so forth.

The basis of the Code is said to lie in its second section which provides that every person shall be liable to punishment under this Code and not otherwise for every act or commission contrary to the provisions thereof. All offences are defined with precision in the Code. The definition states not only the act or omission which is regarded as a crime, but also the state of the mind of the person who does the act or omits to do it and which is an essential element in the offence. The definition clauses use expressions such as 'knowingly', 'voluntarily', 'fraudulently', 'dishonestly', or 'in good faith'. In cases where it is intended that, in order that an act may be a crime, it should be done with a specific knowledge or intention, the definition proceeds to state exactly what the person concerned should have known or intended. The meaning of these expressions used in describing the state of mind of the offender is to be found again in certain general defining sections contained in the Code. The recognition of a mental element in criminal liability, *mens rea*—which is inherent in the English common law is also recognized by the Indian Penal Code by incorporating the criminal intent required by law into the definition of the offence. Where, however, statutes do not specify the requirement of a particular intent of a guilty mind or are silent, the courts in India have followed the rule applied in England to the construction of such statutes.

The Code has various heads of exemptions from liability. These general exemptions in the Code, by and large, include most of the familiar exemptions from liability known to common law such as mistake, ignorance, accident and consent, and also the heads of what of criminal capacity like infancy, insanity, drunkenness and coercion. However, some of the exceptions which were inapplicable to Indian conditions like those relating to husband and wife and privileged persons, are omitted. Other exceptions based on reasons special to India like that based on the right of private defence of the body and of property have been added and some others enlarged.

The Code, in terms, declares that every person has, subject to certain restrictions mentioned in the statute, a right of private defence of the body against offences affecting the human body and against certain offences relating to property. The right is, however, hedged

in by various qualifications. The Code also envisages a lesser liability if an intentional homicide is committed by a person who had been so provoked by an attack made upon him that he has suddenly and temporarily lost his self-control and has done the act in the ungovernable passion of the moment. It also recognizes degrees of criminality, depending on the manner of participation of the person charged in the offence. He may personally commit it; he may participate in the commission, though he does not act himself; he may set some other agency to work with a view to the commission of the offence; or he may help the offender after the act with a view to screening him from justice. It also recognizes as offences attempts to commit an offence and abetment in the commission of an offence.

As to punishment, it may perhaps be said that the Indian Penal Code takes much greater care than English law to differentiate between the possible shades of offences and to graduate the maximum punishment for each offence. In a system of punishment so framed, necessarily, much less is left to the discretion of the judge.

The trial of offences under the Code of Criminal Procedure has a broad similarity to the system followed in the Criminal Law of England with notable variations. The manner of trial of offences varies, broadly speaking, according to the seriousness of the offence. The more serious the offence, the greater the elaboration of the procedure. No sentence of imprisonment exceeding three months can be passed in cases tried in a summary manner. Offences which merit a severe punishment are tried as warrant cases with a more detailed procedure. Offences of a still graver nature can only be tried by a court of session or a High Court and a special procedure is provided.

It may truly be said that the mode of trial in India assures to the accused a fair deal; the manner and procedure of trial are but a modification of the English system suited to Indian conditions.

The first of the civil laws to be codified was the law of succession contained in the Indian Succession Act of 1865. It laid down a system of succession devoid of all archaisms and technicalities which was to be applicable to all who were not expressly exempted from it. It may be described as the general law of succession in India which applied only to Europeans, Urasians, Jews, Armenians and Indian Christians, and excluded from its operation Hindus, Muhammadans and Buddhists who were to be governed, in matters of succession, by their personal laws. Some portions of the Indian Succession Act were subsequently applied to Hindus.

In 1881 was enacted the Probate and Administration Act, which applied to Hindus as well as Muslims. About fifty years later came finally the Indian Succession Act of 1925, which consolidated the

general law of India applicable to intestate and testamentary succession, repealing the earlier Acts of 1865 and 1881 and several other Acts. Though the Indian statutes dealing with the law of testamentary and intestate succession have, to a large extent, embodied the principles of English law, they have also taken a different course in important matters. The Indian legislation has, by degrees, evolved an independent system of its own, largely suggested, no doubt, by English law, but also differing much from that law and purporting to be a self-contained system.

The Indian Contract Act, 1872, perhaps, occupies in the field of civil law nearly the same important place as the Indian Penal Code occupies in the field of criminal law. Enacted in 1872 and embodying as it does the broad principles of the English Law of Contract, it has stood on the Indian statute book for nearly a century without any substantial amendments. The way in which Indians who had been governed by their own laws of contract should have so readily been able to adapt themselves to these English principles is somewhat remarkable. The Act has, in certain respects, made wide departures from the English common law. The doctrine of consideration is differently formulated. Notable differences also exist in the English and Indian laws in the matter of wagering contracts, principles of public policy, the scope of mistake in contracts and its effect on contracts and the principles which govern the frustration of contracts.

The Specific Relief Act of 1877 (now replaced by a new Act of 1963) was a legislation supplementary to the Indian Contract Act, and dealt, generally, with the doctrine of specific relief and the circumstances in which courts may grant specific relief and the circumstances in which courts may grant specific performance of contracts. This legislation also follows, in the broad outline, the principles laid down in English textbooks dealing with specific performance with a few variations, adapting these principles to Indian conditions.

In 1881 came the codification of yet another branch of the Law of Contract—the law relating to negotiable instruments. It is said that the Act, in its arrangement, follows the book of Justice Byles on the subject and is a codification of the English law with some minor changes. In 1930 and in 1932 followed the Indian Sale of Goods Act and the Indian Partnership Act, which codified further sections of the Law of Contract. These two Acts followed corresponding legislation in England, making some improvements and changes suitable to Indian conditions.

One may next turn to the region of real property, in which a very important measure came to be placed on the statute book in India in the year 1882 in the shape of Transfer of Property Act. It is to be

noticed that, before its enactment, India had no law of any importance dealing with real property, excepting a few Acts and regulations, which dealt with some parts of it. For the rest of the law, the courts, in the absence of any statutory provisions, had adopted as their guide the English law under the guise of rules of justice, equity and good conscience. The conditions in India, however, were totally different and the application of the rules of English law had led to confusion and conflicts.

The provisions of the Bill, which was enacted into the Transfer of Property Act, were based mainly on the English law of property and parts of it were borrowed from the enactments which were repealed by the Act. The chief purpose of the Act was to bring the rules which regulated the transmission of property between living persons into harmony with the rules effecting its devolution which had already been enacted in the Succession Act and thus furnish, as it were, a complement to the work accomplished in framing the law of testamentary and intestate succession. Its second purpose was to complete the Code of the Law of Contract, in so far as it related to immovable property. Though the Act covers a large area of the law of transfer of real property, it does not profess to be a complete code. When, therefore, the provisions of the Act are not applicable to a case, the courts are entitled to apply rules of English law not inconsistent with the Act as rules of justice, equity and good conscience.

The provisions of the Act in regard to perpetuities, which follow similar provisions in the Indian Succession Act, are based on the English rule against perpetuities in a modified form. The doctrine of part-performance, which is introduced into the Act, shows the influence exercised by the decision of the Courts of Equity in England on the development of the Indian law. It was incorporated into Indian jurisprudence by the decisions of the courts, and, eventually, became a part of the codified law of India, though in a modified form. It appears that, in British India, the doctrine of the equity of redemption was not originally recognized. The Madras and Bombay courts had, in substance, however, applied the doctrine recognized by the equity courts in England. This right was given statutory recognition by the Transfer of Property Act and can, under the provisions of the Act, be given effect to, notwithstanding a contract to the contrary. However, it must not be forgotten, as in the case of other parts of the Indian jurisprudence, that the codification, though following the broad standards of English principles, also gave effect to established Indian practice. An illustration of this may be given in the recognition by the Act of leases in perpetuity, which are unknown to the law of England.

The process of codification which has so beneficially affected most

parts of the Indian jurisprudence has, however, left untouched one important branch of the law, viz., the law of civil wrongs or torts. A draft of the code of torts for India was prepared by Sir Frederick Pollock; but it was never enacted into law. In the absence of a code, the law of civil wrongs administered in India is almost wholly the common law of England. So much of the English law as seemed suitable to Indian conditions has been applied as rules of justice, equity and good conscience. However, in interpreting the expression 'justice, equity and good conscience,' the courts have taken into account the law in England as it stood at the date of adjudication, giving effect to changes made in it by statute. "One cannot take the common law of England divorced from the statute law of England and argue that the former is in accordance with justice, equity and good conscience."<sup>10</sup>

An important branch of the law of torts, the liability of the State in tort, has assumed great importance in the modern Indian welfare state. The doctrine of complete immunity of the State in respect of tortious acts committed by its agents has been modified by legislation in England and the United States. The Indian legislature, however, has not so far moved in the matter, though such legislation in this branch of the law has been recommended by important bodies. The courts in India have, however, struggled to give relief to the subject against the State by drawing a distinction between torts committed by the State or its agents in the performance of governmental functions and those committed by the State or its agents in the performance of non-governmental functions, holding the State liable like an ordinary citizen in respect of the latter class of torts.

We have made a brief survey of the series of the important Anglo-Indian codes which embody the main principles of Indian jurisprudence and have also noticed the law applicable in areas not covered by these codes such as that of civil wrongs.

Adjectival civil law in India owes almost as much to English law as Indian substantive law. We have the Indian Evidence Act of 1872 and the Civil Procedure Code of 1908, which has grown from a series of earlier codes regulating civil procedure. The result has been a procedural system which broadly follows the base of English procedure, modifying it to suit Indian conditions.

To sum up, the base and the foundation of the civil law of India is the English common and statute law. But the structure reared on that foundation has been so adapted to Indian needs and conditions that it may, notwithstanding its exotic origin, be regarded as peculiarly Indian in its form as well as in its working.

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10. *Secretary of State v. Rukhminibai*, AIR 1937 Nag. 354, 367-368.



All the law in force in the territory of India immediately before the commencement of the Indian Constitution of 1950 has continued in force until altered, repealed or amended by a competent legislature or other competent authority. The courts have interpreted the expression 'law in force' very widely so as to include in it not only statutory provisions, but also custom held to have the force of law and the law laid down by judicial decisions.

## II. Codification and Law Commissions Since Independence

We have already, in the preceding section, dealt with the historic era of Law Commissions which laboured for years in formulating codes which reformed and made certain the rules of law and procedure applicable in India, covering the bulk of the area of Indian jurisprudence. The result achieved was almost a comprehensive code and system of laws, which was adopted by the Indian Constitution in its entirety in 1950.

More recently, however, a need has been felt for improvement in the sphere of the administration of justice and procedural laws. Judicial administration in India has been the subject of periodical investigation by committees and commissions. The committees have been appointed either by the central government or by the state government<sup>11</sup>. A Statute Law Reforms Committee was constituted in 1921. In 1923, the Civil Justice Committee with Sir George Rankin as Chairman was constituted to enquire into the operation and effects of the substantive and adjectival law, whether enacted or otherwise followed by the courts in India in the disposal of civil suits, appeals and applications for revision and other civil litigation (including the execution of decrees and orders). The Committee was constituted with a view to ascertaining and reporting whether any changes and improvements should be made so as to provide for the more speedy, economical and satisfactory despatch of the business transacted by the courts and for the more speedy, economical and satisfactory execution of processes issued by the courts. Other special committees like the Indian Bar Committee (1923)—whose recommendations led to the enactment of Indian Bar Councils Act—were also constituted. Committees were also set up by some provinces for the separation of the judiciary from the executive.

11. For example, the Civil Justice Committee, 1923-25 (Rankin Committee); the High Court Arrears Committee 1949-59 (Das Committee); the U. P. Reforms Committee (Wanchoo Committee); the West Bengal Judicial Reforms Committee (Trevor Harries Committee); and the Bihar Jury Committee.

After independence, the All India Bar Committee was established in 1951. Some states like West Bengal, Uttar Pradesh, Bombay and Bihar also appointed committees of their own to report on several problems affecting the administration of justice. The Indian Law Commission, established in 1955 visualized its task as being "more in the nature of improving and reforming our present structure of judicial administration in all its aspects and of revising and modifying the statute law."<sup>12</sup>

In comparison with the tasks of a pioneering nature undertaken by the earlier commissions, the subsequent enquiries by committees and commissions have been by and large considerably restricted in their nature and scope. The Law Commission set up in 1955 was not a permanent body. Its existence has been, from time to time, extended for periods since 1955, it being reconstituted every three years. Though the main function of the Law Commission is to examine the central Acts of general application and importance and to simplify the laws in general, frequently, the government has referred to the Law Commission specific subjects for its opinion; to illustrate, the question of the abolition of the death penalty was referred to the Law Commission. The Commission has produced so far 65 reports. Apart from this important report on the judicial administration, the Commission's reports on the law relating to specific relief, limitation, criminal procedure code have yielded new codes. Additionally, the Commission has dealt with contemporaneous matters such as socio-economic offences, income-tax, foreign exchange, customs and excise laws.

Some state governments have also established Law Commissions for the purpose of revising state laws. Such commissions are functioning in the states of Andhra Pradesh, Gujarat, Kerala, Rajasthan, Tamil Nadu, and Uttar Pradesh.

The complexity of socio-economic problems facing the country since independence has also necessitated recourse to specialized agencies other than law commissions for pre-legislative guidance. There have been, to mention a few examples, recourse to specialized reports concerning the direct taxes, agricultural income-tax, status of women, backward classes, etc.

It would be correct, generally speaking, to state that, excepting in the region of personal laws, codification of many considerable sectors of law has not been attempted in recent years. Several pieces of legislation with a view to reform the personal law of the Hindus and

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12. *Fourteenth Report of the Commission of 1955 on Reform of Judicial Administration* (1958), Vol. I, Chapter II, p., 16.

the Muslims have been enacted. We shall have occasion to notice these later in the section dealing with personal law. Generally speaking, what the legislature has done is to amend, from time to time, such parts of the old codes as needed amendment. It may, however, be noted that the codification of the Hindu personal laws has been described as a "momentous experiment" which "for width of scope and boldness of innovation can be compared only with Code Napoleon."<sup>13</sup>

### III. Judicial Organization, Powers And Procedure

**General :** The judicial administration of the country under the British was done by different classes of courts with ultimate appeals to the Judicial Committee of the Privy Council.

In brief, the different classes of courts in India were :

(i) For both criminal and civil justice—

(a) The High Court, judges to it being appointed from British barristers, Indian lawyers, members of the Indian Civil Service and, very occasionally, from members of the Subordinate Judicial service.

(b) The District and Sessions Courts, manned by Indian civilians and members of the Provincial Service.

(ii) For criminal justice only—

(a) The courts of the district magistrate and his assistant and deputy magistrate, nearly all of whom were, like himself, magistrates of the first class.

(b) The courts of the subordinate magistrates, who were magistrates of the second and third class, and who as a rule, exercised also revenue jurisdiction as *tahsildars* or held other revenue offices and were, almost without exception, Indians.

(iii) For civil justice only—

(a) Subordinate Judge's courts

(b) Courts of *Munsifs*.

The right of appeal from a High Court in civil matters to Privy Council was derived from Letters Patent of the High Court and the provisions of the Civil Procedure Code (Sections 109 and 110 and Order 45). There was no appeal as of rights to Privy Council except where a right of appeal was expressly given. In criminal matters, there was no appeal as

13. Derrett J. D. M. *Religion, Law and State in India*, London, 1968, p. 326.

After independence, the All India Bar Committee was established in 1951. Some states like West Bengal, Uttar Pradesh, Bombay and Bihar also appointed committees of their own to report on several problems affecting the administration of justice. The Indian Law Commission, established in 1955 visualized its task as being "more in the nature of improving and reforming our present structure of judicial administration in all its aspects and of revising and modifying the statute law."<sup>12</sup>

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Some state governments have also established Law Commissions for the purpose of revising state laws. Such commissions are functioning in the states of Andhra Pradesh, Gujarat, Kerala, Rajasthan, Tamil Nadu, and Uttar Pradesh.

The complexity of socio-economic problems facing the country since independence has also necessitated recourse to specialized agencies other than law commissions for pre-legislative guidance. There have been, to mention a few examples, recourse to specialized reports concerning the direct taxes, agricultural income-tax, status of women, backward classes, etc.

It would be correct, generally speaking, to state that, excepting in the region of personal laws, codification of many considerable sectors of law has not been attempted in recent years. Several pieces of legislation with a view to reform the personal law of the Hindus and

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12. *Fourteenth Report of the Commission of 1955 on Reform of Judicial Administration* (1958), Vol. I, Chapter II, p., 16.

the Muslims have been enacted. We shall have occasion to notice these later in the section dealing with personal law. Generally speaking, what the legislature has done is to amend, from time to time, such parts of the old codes as needed amendment. It may, however, be noted that the codification of the Hindu personal laws has been described as a "momentous experiment" which "for width of scope and boldness of innovation can be compared only with Code Napoleon."<sup>13</sup>

### III. Judicial Organization, Powers And Procedure

**General :** The judicial administration of the country under the British was done by different classes of courts with ultimate appeals to the Judicial Committee of the Privy Council.

In brief, the different classes of courts in India were :

(i) For both criminal and civil justice—

(a) The High Court, judges to it being appointed from British barristers, Indian lawyers, members of the Indian Civil Service and, very occasionally, from members of the Subordinate Judicial service.

(b) The District and Sessions Courts, manned by Indian civilians and members of the Provincial Service.

(ii) For criminal justice only—

(a) The courts of the district magistrate and his assistant and deputy magistrate, nearly all of whom were, like himself, magistrates of the first class.

(b) The courts of the subordinate magistrates, who were magistrates of the second and third class, and who as a rule, exercised also revenue jurisdiction as *tahsildars* or held other revenue offices and were, almost without exception, Indians.

(iii) For civil justice only—

(a) Subordinate Judge's courts

(b) Courts of *Munsifs*.

The right of appeal from a High Court in civil matters to Privy Council was derived from Letters Patent of the High Court and the provisions of the Civil Procedure Code (Sections 109 and 110 and Order 45). There was no appeal as of rights to Privy Council except where a right of appeal was expressly given. In criminal matters, there was no appeal as

13. Derrett J. D. M. *Religion, Law and State in India*, Lon'on, 1968, p. 326.

of right to the Judicial Committee of the Privy Council. The Judicial Committee, however, could recommend the grant of special leave to appeal where there was no appeal as of right, if it thought fit to do so. The Judicial Committee, however, as a matter of practice, used to exercise the prerogative right of the sovereign to grant special leave, only where it was shown that injustice of a serious and substantial character had occurred.<sup>14</sup> After independence, the appeals to the Privy Council were abolished from October 10, 1949<sup>15</sup>.

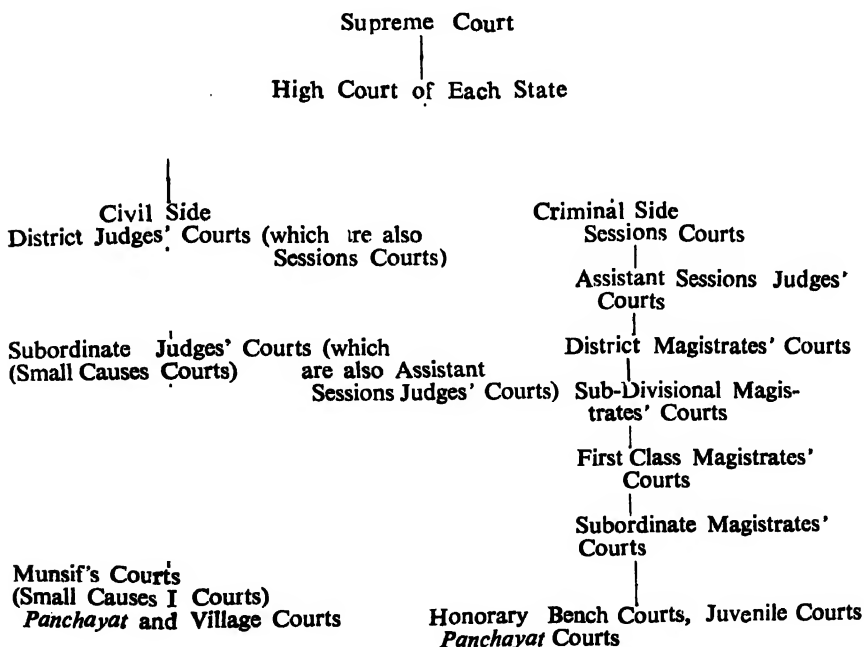
The Government of India Act, 1935, created the Federal Court in India. The Court was formally inaugurated in October 1937 and functioned until it was replaced on January 26, 1950, by the present Supreme Court. The Federal Court had a very limited jurisdiction. It had an exclusive jurisdiction in disputes between the federation and constituent units and the units *inter se* (Section 204) ; it also had an advisory jurisdiction. The Federal Court enjoyed a very limited appellate jurisdiction of hearing appeals from a High Court after the High Court certified that the case involved a substantial question of law as to the interpretation of the Government of India Act. In all other cases, appeals from the High Courts continued to lie to the Privy Council. The appellate jurisdiction of the Federal Court was, however, subsequently enlarged and appeals lay to the Federal Court in the same circumstances in which appeals could have been brought to the Privy Council.

Under the Indian Constitution, we have an integrated system of judiciary with the Supreme Court at the apex and the High Courts and the subordinate courts in the various states. The Constitution provides rather elaborately for the Supreme Court and High Courts and contains a few provisions relating to the subordinate judiciary. The legislative power in relation to High Courts and subordinate courts are distributed between the union and the states. The Parliament has the exclusive power to make laws with respect to the constitution and organization of the High Court except provisions as to officers and servants of the High Courts, persons entitled to practise before the High Court, extension of jurisdiction of a High Court to, and exclusion of the jurisdiction of a High Court from any union territory, jurisdiction and powers of all courts except the Supreme Court with respect to any matters in the Union List and admiralty jurisdiction. Further, under Article 247, Parliament is

14. *Dalsingh v. King Emperor*, ILR 44 Cal., 876; *Riel v. Queen*, 10 AC 675; 12 AC 459; 1914 AC 599.

15. The Abolition of Privy Council Jurisdiction Act 1949—Constituent Assembly Act No. 5 of 1949.

authorized to establish any additional courts for the better administration of laws made by it. The state legislature has exclusive power to make laws with respect to administration of justice; constitution and organization of all courts except the Supreme Court and the High Courts; officers and servants of the High Courts; procedure in rent and revenue courts; fees taken in every court except the Supreme Court (List II, entry 3), jurisdiction and powers of all courts except the Supreme Court (with respect to any matter in the State List—List II, entry 65). Both the Parliament and state legislatures have concurrent power to make laws with respect to the jurisdiction and powers of all courts except the Supreme Court with respect to any matter in the Concurrent List in the Seventh Schedule to the Constitution (List III, entry 46). The following chart shows the present set-up of courts in India :



In the towns of Calcutta, Madras and Bombay, the following courts function under the High Court :

*Civil Side*

The City Civil Court

The Court of Small Causes

*Criminal Side*

The Court of Sessions

The Presidency Magistrates' Courts.

The lowest judicial authority—the *panchayat*—deals with petty cases, civil and criminal. At the next stage, there is bifurcation. The civil law is administered by the *Munsif*. The Criminal law is administered by the subordinate magistrates (both salaried and honorary) first class magistrates, sub-divisional magistrate, district magistrates (and Presidency magistrates in the three cities of Calcutta, Madras and Bombay). At the higher levels, again, these are unified.

**Supreme Court of India :** The Supreme Court has been made a Court of Record and it has summary jurisdiction to punish contempt of its authority. The Court has original jurisdiction for the enforcement of fundamental rights (Article 32), which is itself a fundamental right guaranteed under the Constitution. It has exclusive jurisdiction in disputes between the states *inter se* or between the union and the states. It has appellate jurisdiction in constitutional matters, in civil matters and in criminal matters. The Court also exercises the Federal Court's jurisdiction, as it safeguards the interest of those litigants who had a right of appeal to the Federal Court before the advent of the Constitution, but who might have lost this right by reason of the constitution of the Supreme Court in place of the Federal Court. The Supreme Court has been given unrestricted powers to entertain appeals by special leave from any judgment, decree, determination or order in any case or matter passed or made by any court or tribunal in the territory of India except those constituted by or under any law relating to the Armed Forces. The Supreme Court hears appeals from a variety of tribunals which perform judicial or quasi-judicial functions and are established under the authority of the government. In the exercise of its jurisdiction over tribunals, the Supreme Court has laid down some principles for their own guidance in the discharge of their functions. These principles will be stated a little later. The Supreme Court has exercised its discretionary unrestricted jurisdiction in regard to grant of special leave not only in civil and criminal cases, but in numerous other judicial and quasi-judicial decisions. The Constitution also confers on the Supreme Court advisory jurisdiction which it can exercise on a reference by the President on a question of law or fact. Finally, the Constitution enjoins that the law declared by the Supreme Court shall be binding on all courts within the territory of India.

**High Courts :** The High Courts are the highest courts of appeal in the states. They also have an extraordinary original jurisdiction. The Chartered High Courts of Calcutta, Madras and Bombay under their Letters Patent exercise ordinary original civil jurisdiction in all matters irrespective of value except those cognisable exclusively by the Presidency Small Causes Court. There have, however, been some inroads upon the ordinary original civil jurisdiction of these High



Courts, with the establishment of the City Civil Courts in Madras (in 1892 and 1955), in Bombay (in 1948) and in Calcutta (in 1957). On the criminal side, these High Courts were also the courts of Session, to which offenders accused of serious crimes committed within their respective territorial limits could be committed for trial. The High Courts at Madras and Bombay have, however, been deprived of this jurisdiction by the creation of Sessions Courts at the seats of the High Courts. In Calcutta under the West Bengal Act (XX of 1953), a City Sessions Court had been established in 1957. This West Bengal Act lays down that some of the more serious offences under the Indian Penal Code (Sections 131-134, 302, 307, 396, 468, 477-A and abetment of and attempts to commit these offences) should continue to be tried by the High Court.

The High Court is a Court of Record. Under the Constitution, the jurisdiction and powers of the High Courts and the law administered in them are the same as immediately before the Constitution. The continuation of the *status quo* is, however, subject to the provisions of the Constitution and to any law made by the appropriate legislature. In two respects, however, the Constitution itself has enlarged the power and jurisdiction of the High Courts. Firstly, it has lifted the restriction on the original jurisdiction of the High Court regarding revenue matters or concerning any act ordered or done in collection of revenue. The second important change effected by the Constitution in the jurisdiction of the High Court is by the enactment of Article 226, which empowers the High Courts to issue writs, orders or directions for the enforcement of fundamental rights or for any other purpose. In the pre-Constitution period, the High Courts of Calcutta, Madras and Bombay enjoyed the jurisdiction to issue writs within their original jurisdiction. Other High Courts had no such jurisdiction. Article 226 of the Constitution which applies to all the High Courts adds greatly to their power. Each High Court under the Constitution has a writ jurisdiction, which is co-terminus with its entire territorial jurisdiction. Further, the power to issue writs may also be exercised by any High Court in respect of causes of action which arise wholly or in part within its territorial jurisdiction, notwithstanding that the seat of the government or authority or residence of the person against whom the writ has to be issued is beyond the territorial jurisdiction of the High Court. This is an important power very largely availed of by the citizen to enforce his rights and to challenge the validity of administrative action. Thus, the High Courts can issue directions, orders or writs, including writs in the nature of *habeas corpus*, *mandamus*, prohibition, *certiorari*, *quo warranto* for the enforcement of fundamental

rights or for any other purpose. Every High Court exercises superintendence over all courts and tribunals within its territorial jurisdiction except any court or tribunal constituted by or under a law relating to the Armed Forces.

The High Court, in its appellate and revisional jurisdiction, entertains appeals and revisions, both civil and criminal, from courts subordinate to it.

**Civil Courts :** The Constitution has few provisions concerning the organization of the subordinate courts. Appointments, postings and promotion of district judges<sup>16</sup> in a state are made by the Governor in consultation with the High Court. The Constitution lays down their qualifications. Appointment of persons to the State Judicial Service below the district judge's level are made by the Governor in accordance with the rules made by him in that behalf after consultation with the State Public Service Commission and the High Court. The control over the district courts and the subordinate courts is vested in the High Courts.

Ordinarily, the magistracy is under the control of the executive and not covered by the constitutional provision about subordinate judiciary. The Constitution lays down that the Governor may, by public notification, direct that, subject to any modifications he may direct, the constitutional provision in respect of the State Judicial Service shall apply to any class or classes of magistrates. This provision has, perhaps, been made to give effect to the directive principle about separation of the judiciary from the executive.

In each state, there is a system of subordinate courts below the High Courts. The normal hierarchy of the civil courts in any district consists of the court of the district judge, the court of the additional or assistant district judge, the court of the subordinate judge or the senior civil judge and the court of the *munsif* or the junior civil judge. With the object of providing a speedy and inexpensive method of enforcing claims of small pecuniary value, we have the courts known as the Courts of Small Causes. In the Presidency towns, they are known as Presidency Small Causes Courts (Presidency Small Causes Court Act, 1882) and Small Causes Courts in places other than the Presidency towns (Provincial Small Causes Court Act, 1887). In addition to regular civil courts, there are also the *panchayat* and village courts constituted under the Village Panchayat Acts of the several states. The civil courts exercise two distinct types of

16. The expression 'district judge' has been given an extended meaning by the Constitution (Art. 236) and includes judge of a City Civil Court, additional district judge, joint district judge, assistant district judge, chief judge of a Small Cause Court, chief presidency magistrate, additional chief presidency magistrate, sessions judge, additional sessions judge and assistant sessions judge.

jurisdiction, namely, ordinary civil jurisdiction which is exercised under the Civil Courts Act in force in the various states and special jurisdiction in certain matters under the central and state Acts.<sup>17</sup>

**Criminal Courts :** The organization of the criminal courts has practically remained unchanged since the enactment of the Criminal Procedure Code in 1898 although the new Code of 1973 makes some changes in the designation of magistrates. Some slight variations have been introduced in those states where the judiciary has been separated from the executive. The following are the existing classes of criminal courts : High Courts, Courts of Session (including additional and assistant sessions judge), district magistrates, judicial magistrates (first and second class), executive magistrates, *panchayat* courts. The *panchayat* or village courts are constituted by special Acts. The Presidency magistrates are appointed in the three towns of Calcutta, Madras and Bombay for the trial of lesser offences, *i.e.*, other than those tried by the Courts of Session or the High Courts in Presidency towns. In addition to the various classes of magistrates appointed by the government, the High Court, upon the request of the state or central government is authorized under section 13 of the Criminal Procedure Code, 1973, to confer on any person who holds or has held any post under the government, the powers of a second class magistrate. Formerly, the state government possessed this power which had to be exercised in consultation with High Courts. However, under the old Code a person to be thus appointed would be one who held or had held a judicial post or fulfilled certain appropriate qualifications prescribed by the state, and was designated as special judicial magistrate.

**Separation of Judiciary from the Executive :** The Constitution, in its Directive Principles, enjoins that states shall take steps to separate the judiciary from the executive in the public services of the state. The real purpose of these directives is to ensure the independent functioning of the judiciary free of all suspicion of executive influence or control, direct or indirect; incidentally it ensures that officers will devote their time entirely to judicial duties leading to efficiency in the administration of justice. The separation has been gradually effected in Tamil Nadu and Andhra Pradesh. In Maharashtra, the separation has been brought about by statute (Separation of Judicial and Executive Functions Act 23 of 1951). The main points of distinction between

17. The examples of such Acts are : the Succession Act, 1925, the Courts and Wards Act, 1890, the Land Acquisition Act, 1894, the Provincial Insolvency Act, 1869, the Special Marriage Act, 1920, the Indian Divorce Act, 1954, the Hindu Marriage Act, 1955, Section 92 of the Civil Procedure Code, 1908, Section 18 of the Religious Endowments Act, 1963 and the Indian Lunacy Act, 1912.

Tamil Nadu and Maharashtra schemes are that whereas in Tamil Nadu, the head of the judicial magistrates in a district is the district magistrate (judicial), in Maharashtra, the head is the session judge, and that, whereas in Tamil Nadu the powers under sections 8 and 10 of the Criminal Procedure Code, 1861, are exercisable only by judicial magistrates, in Maharashtra these powers are left to be exercised by the executive magistrates. In both states, the judicial magistrates are like civil judicial officers under the administrative control of the High Court. In other states or parts of states where separation has been introduced, the Tamil Nadu method of issuing executive instructions has been followed and the location of the powers and functions is on the same pattern as in Tamil Nadu or Maharashtra with changes in nomenclature of the officers. The states in which separation is now in force are Tamil Nadu, Andhra Pradesh, Kerala, Karnataka, Maharashtra, Gujarat, most of the districts of Madhya Pradesh some parts of Haryana and Punjab, Bihar except five districts, Orissa except four districts and in some parts of Rajasthan. The judiciary has not been separated from the executive in Assam, West Bengal, Tripura, Manipur, Delhi and in portions of states of Punjab, Rajasthan, Bihar, Orissa and Madhya Pradesh. In Uttar Pradesh, in districts other than the hill districts, judicial officers (criminal) are not entrusted with executive duties; but the supervision of their judicial and other work rests with the executive and not the High Court. The system of separation which prevails in some of the districts of Uttar Pradesh is, to quote the words of the Law Commission (14th Report, page 853), "only a separation in form; the substance of separation, namely, the freeing of the judicial officers of executive control, has not been achieved."

The Criminal Procedure Code, 1973, has taken important steps towards the separation of the judiciary from the executive. Judicial magistrates are under the control of the High Court ; and executive magistrates are under the control of state government. Broadly speaking, the former are entrusted with functions which are essentially judicial in nature, whereas the executive magistrates are now assigned functions in the nature of 'police' functions and administrative functions. Judicial functions are defined by the Code (Section 4) as relating to those matters which involve the appreciation or shifting of evidence or the formulation of any decision which exposes any person to any punishment, penalty or detention in custody pending investigation, inquiry or trial or would have the affect of sending him for trial before any court. Administrative or executive functions in nature include the granting of a license, its suspension or cancellation, sanctioning or withdrawing prosecution. These are exercisable by executive

magistrates.

**Former French Settlements in India :** French laws and procedure governed both civil and criminal cases in the French establishments of Pondicherry, Karikal, Mahe and Yanam. From August 16, 1962, when the Treaty of Cession of May 28, 1956, between France and India came into force, the area has been placed under the jurisdiction of the Madras High Court.<sup>18</sup> All appeals and other proceedings pending before August 16, 1962, before the *Cour de Cassation* or the *Cour Superior d' Arbitrage* or the *Conseil d' Etat* of France and all original proceedings pending before the *Conseil d' Etat* were transferred to the Madras High Court. All laws in force in those French establishments, until amended or repealed, are to continue to be in force.

**Revenue Court :** In almost all the states, there is a Board of Revenue which is the Chief Controlling Revenue Authority and is at the top of the hierarchy of the revenue judiciary. In some of the states, the Board of Revenue was set up as early as 1770. Various enactments and, in particular, the land revenue Acts confer jurisdiction on the Revenue Courts. We may briefly mention some of the structures and functions of the revenue tribunals and courts, though these are subject to frequent changes.

In Bombay, the Revenue Tribunal was constituted under section 296(2) of the Government of India Act, 1935, and then by the Bombay Revenue Tribunal Act, 1939. In 1957, the Act of 1939 was repealed by the Bombay Revenue Tribunal Act, 1957 (Bombay Act 31 of 1958). Although the Bombay Revenue Tribunal was started with the object of deciding merely revenue cases, its jurisdiction has been extended to all tenancy matters and to land tenure abolition matters subject to the control by the High Court under Articles 226 and 227 of the Constitution. There are various Acts which confer jurisdiction on the Tribunal to entertain appeals or applications in revision. They may be classified under five heads : (1) Revenue Tribunal Act, (2) Revenue Acts, (3) Tenancy Acts, (4) Ceiling on Holdings Act, and (5) Tenure Abolition Acts. Below the Revenue Tribunal, there are different grades of Revenue Courts, for example, Mamlatdar's Courts.

In Rajasthan, Revenue Courts decide disputes relating to agricultural tenancies and matters relating to land revenue, preparation and maintenance of land records, settlement of rents and revenue and the partition of estates. Revenue Courts with exclusive jurisdiction have been established under the Rajasthan Tenancy Act, 1955.

The U.P. Board of Revenue at present consists of six members. The Board exercises appellate powers next above the Commis-

18. The Pondicherry (Administration) Act, 1962, (Act 49 of 1962).

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sioner in cases where appeal to the Board is provided. It has revisionary powers in all suits and proceedings decided by any subordinate court in which no appeal lies or where an appeal lies but has not been preferred except that a revision of the order of the court subordinate to the commissioner is required to be filed before the commissioner in the first instance, and reference made by the courts subordinate to the commissioner including the revisionary powers of the Board are similarly required to be made through the commissioner. In appeals or revisions under the U.P. Zamindari and Land Abolition Act, 1950, a preliminary hearing is granted to the appellant or an applicant. The Board is empowered to entertain appeals and revisions under the Land Revenue Act or the U.P. Tenancy Act and it may dismiss them summarily without hearing the appellant or the applicant. The Board of Revenue is the final court of appeal in the state subject to the jurisdiction of the High Court and the Supreme Court.

The functions of the Board of Revenue are defined by the Madhya Pradesh Land Revenue Code of 1959. The Board of Revenue is the highest court. There are commissioners, settlement commissioners and below them collectors, sub-divisional officers, *tahsildars* and *naib-tahsildars* in the order stated. There are also *Jagir Courts*.

In Karnataka, there is a Revenue Appellate Tribunal constituted by the Mysore Revenue Appellate Tribunal Act, 1957. In Punjab, there are courts of financial commissioners, courts of commissioners and courts of assistant collectors and other revenue courts. The Punjab Tenancy Act, 1887, enumerates some of the powers of these Revenue Courts.

**Special Tribunals :** Special Tribunals<sup>19</sup> were constituted in 1943 for speedy trial and more effective punishment of certain offences punishable under the Indian Penal Code. These tribunals still continue in West Bengal, Bombay, Rajasthan and Punjab. In 1950, Special Criminal Courts (Jurisdiction) Act was passed by Parliament to confer upon special criminal courts constituted by or under certain state laws jurisdictions to try offences against laws with respect to any of the matters enumerated in the Union List.

The taxation laws generally provide for tribunals which specially deal with tax matters. These tribunals are not courts like the Special Tribunals in criminal cases. There are other statutes also which provide for tribunals like the Companies Tribunals to deal specifically with

19. The Criminal Law Amendment Ordinance XXIX of 1943; The Special Tribunals (Supplementary Provisions) Act XXVI of 1946, Special Criminal Courts (Jurisdiction) Act 18 of 1950; Punjab Special Tribunal (Continuation) Act, 1948 (E.P. Act 29 of 1948) Bengal Special Tribunals (Continuation) Act 1946 Ben. 12 of 1946; Bombay Special Tribunal (Continuation) Act 1946 (Bombay Act 21 of 1946); Tribunals of Criminal Jurisdiction Act, 1952 (W. B. Act 23 of 1951); Rajasthan Special Criminal Courts Ordinance, 1949 (Raj. Ord. 44 of 1949)

matters under particular statutes. Further, there is a general statute known as the Commission of Enquiry Act, 1952. It empowers the central government to constitute a Commission of Enquiry on any matter of public importance whenever considered necessary or when a demand to that effect is made by the legislature. It authorizes the enquiring authority to exercise certain specific powers including the powers to summon witnesses, to take evidence on oath and to call persons to furnish information. The Commission is merely a fact finding body authorized only to make a report and not to make a binding adjudication.

The Income-tax Act, 1961, makes provision for Appellate Tribunal to hear appeals from the orders of appellate assistant commissioner, inspecting assistant commissioner and commissioner (Sections 252 and 253). The Appellate Tribunal is required to give both the parties to the appeal an opportunity of being heard before passing its order (Section 254). The Act also makes provisions for the procedure of the Appellate Tribunal. Any party dissatisfied by the order of the Tribunal can ask for a reference to the High Court or to the Supreme Court. The Act makes provision for appeal to the Supreme Court against the order of the High Court.

In almost all states, there are Sales Tax Tribunals. In some states, the tribunal is called a 'Commercial Tax Tribunal', as in Bihar. The various Sales Tax Acts of the states make provision for reference against the decisions of the tribunal or other appellate or revisional authorities to the High Courts.

The Railway Rates Tribunal is constituted under the Railways Act, 1890. A decision of the tribunal under the Railways Act, 1890, is final.

The tribunals listed above are by no means exhaustive of the category of special tribunals. They are only illustrative. There are Industrial Tribunals (Labour Court, Industrial Tribunal, National Tribunal) under the Industrial Disputes Act, 1947. Tribunals for Court of Industrial Arbitration are constituted in some states under the states Act. The Court of the Commissioner for Workmen's Compensation, 1923, Employees' Insurance Court under the Employees' State Insurance Act, 1948, and various authorities under the Payment of Wages Act, 1936, and the Minimum Wages Act, 1948, may be said to be special tribunals.

**Quasi-Judicial and Administrative Tribunals :** An administrative body may sometimes exercise judicial functions. When it does so, it is called a quasi-judicial administrative authority or tribunal. If a statutory authority has power to do any act which will prejudicially affect the citizen, then, although there are not always two parties apart from the

authority and the contest is between the authority proposing to do the act and the subject opposing it, the final determination of the authority will yet be a quasi-judicial act provided the authority is required by the statute to act judicially. Whether an authority is required to act judicially is to be gathered from the express provisions of the Act in the first instance. Where, however, the provisions of the Act are silent, the duty to act judicially may be inferred from the statute or may be gathered from the cumulative effect of the nature of the rights affected, the manner of the disposal provided, the objective criterion to be adopted, the phraseology used and the other indicia afforded by the statute<sup>20</sup>. A duty to act judicially may arise in widely different circumstances which it is impossible and indeed inadvisable to attempt to define exhaustively<sup>21</sup>.

The number of Indian statutes which constitute administrative authorities, purely administrative and quasi-judicial, are a legion. Some of these affect valuable rights of the citizen and impose onerous obligations upon the parties. These authorities may be broadly classified as authorities under revenue and taxation laws, labour laws, land laws and under a miscellaneous head which may include the Motor Vehicles Act and other statutes. Some of the statutes constituting these administrative authorities provide no right of appeal or revision even to higher administrative authorities. Others confer rights of appeal and revision; but these lie to the higher administrative authorities and not to any judicial authority. It is only in a few cases that an ultimate appeal or revision can go to a court of law. In a number of statutes, provisions are made in express terms, excluding the appearance of lawyers before the administrative authorities and excluding appeals or revisions to courts of law.

In the matter of providing an appeal or a revision or a reference against orders of a quasi-judicial authority, the statutes do not follow any fixed pattern. For example, the Coconut Committee Act, 1944, and the Oil Seeds Committee Act, 1946, provide for appeals to the District Judge or Chief Judge. The Cotton Cess Act, 1923, provides that an assessment shall not be questioned in any court, but permits an appeal to the central government. The Delhi Municipal Corporation Act provides for an appeal against the levy of a tax to the District Judge and further provides for a reference to the High Court by the District Judge either on his motion or at the instance of a party. The Central Silk Act, 1948, neither provides for an appeal nor shuts out the jurisdiction of the court. The Tea Act, 1933, does not permit certain orders about plantation of tea to be questioned in any court (Section 14, Sub-

20. AIR 1962, SC 1217.

21. AIR 1962, SC 1110.



section 4), while an appeal is allowed to the central government against certain orders regarding granting of quotas. The Foreign Exchange Regulation Act, 1947, empowers the Director of Enforcement to adjudge contraventions and impose penalties. A reasonable opportunity of hearing is provided by the statute expressly. Appeal against the order of the Director lies to the Appellate Board. The Central Excise and Salt Act, 1944, provides for an appeal against the decision or order by an excise officer up to Central Board of Excise and Customs and the decision of the Board is final, subject to revision by the central government. The Customs Act 52 of 1962 also provides for appeals and revisions against orders under the Act to certain authorities including the Board of Customs and Excise and the central government.

There is an Estates Abolition Tribunal under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, and Land Tribunal under the Madras Land Reforms (Fixation of Ceiling on Land) Act, 1961, and similar tribunals for the implementation of land reforms in many states. Further there are tribunals for disciplinary proceedings against government servants in some of the states. Inquiry officers holding disciplinary proceedings against government servants perform quasi-judicial functions. The Custodian of Evacuee Properties, Election Tribunals, the Rent Controller and the appellate authority over them, the Board of Censors under the Cinematograph Act, 1978, Municipal Authority refusing a licence for running a business—are some other authorities acting quasi-judicially. The central government, when exercising its power of revision under the Mineral Concession Rules, also performs quasi-judicial function. The authority under the Bihar High School (Control and Regulation of Administration) Act, 1969, hearing appeals also performs similar functions. Appeals by special leave lie to the Supreme Court against the orders of quasi-judicial administrative tribunals under Article 136 of the Constitution. The High Court also exercises control over these authorities and keep them within the bounds of law by the issue of directions, orders or writs not only for the enforcement of fundamental rights, but also for any other purpose. The restriction on the High Courts' power in revenue matters has now been lifted by the Constitution.<sup>22</sup>

22. It is well-known that, soon after the establishment of the Supreme Court in Bengal serious conflicts and dissensions arose between the judges of that Court and the Governor-General in Council of Bengal. Eventually, the conflicts and dissension were composed by the Act of Settlement, 1781 (21 Geo. III C 70). Section 8 of that Act took away from the Supreme Court all jurisdiction in any matter concerning the revenue or concerning any act or acts ordered or done in the collection thereof, according to the usage and practice of the Court, or the regulations of the Governor-General and Council. Such was the distrust of the executive authorities as regards the jurisdiction and powers of the Superior Courts that subsequent statutes up to the Government of India Act, 1935

It has been rightly observed that there are "multifarious adjudicatory bodies outside courts : in fact, no one knows for sure as to how many of these exist as no comprehensive study of these bodies has been attempted in India". The "jurisdictional territory covered by these adjudicatory bodies is very extensive" and impinges on all aspects of life—big and small. There is also a "great diversity in the structure of these adjudicatory bodies". This is inevitable, given the goals of rapid development of the nation.

#### IV. Judicial Procedure

The procedure of judicial work in the Supreme Court is governed by the Supreme Court Rules, 1966, framed under the Constitution.

The procedure, generally, in the states is on the pattern laid down by the Code of Civil Procedure, 1908, and the Code of Criminal Procedure, 1898.

The detailed procedure in respect of High Courts is laid down in the rules of the respective High Courts, and that of the subordinate courts is laid down in the General Rules of High Courts (Criminal and Civil).

**Civil Procedure :** The procedure in a civil suit is largely governed by the Code of Civil Procedure. The plaintiff or the applicant for relief should set out his claim with precision, stating what he wants and why. The defendant is given a reasonable time to reply, and in his reply he should either admit or deny clearly the plaintiff's allegations and state his case. The court, on reading these documents and after obtaining such clarification from parties as may be necessary, sets out in the form of questions what are the points in controversy between the two parties. These are called 'Issues'. All documentary evidence must be filed in court by a particular date and a list of witnesses to be examined must be furnished on the date fixed by the court. Then follow the arguments by the parties or their pleaders.

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(Section 226) creating or continuing the High Courts, always had a section substantially reproducing that section. (See *Report of the All India Bar Committee*, 1953, p. 6 para 18). The Constitution of India, by Article 226, proviso has now done away with this restriction concerning revenue.

The Committee appointed by the all India Congress Committee under the Chairmanship of Swaran Singh as now proposed once again that all matters concerning revenue or concerning any act ordered or done in collection thereof or any matter relating to and reforms and procurement of foodgrains will be beyond the scope of the judicial review under Articles 32 and 226 of the Constitution.

These are followed by the judgment.

There are provisions for a reference to the High Court in certain cases, for example, when the court entertains reasonable doubts on any question of law or usage or when a case involves a question as to the validity of any Act. The Court may either stay proceedings or pass a decree contingent upon the decision of the High Court. A court may review its own decision in some specific contingencies, for example, in the case of discovery of new and important matter. If no appeal lies, the High Court, in exercise of its revisional jurisdiction, can call for the records of any case decided by a court subordinate to it and make such orders as it thinks fit. An appeal lies to a superior court from the decree of the trial court and from that of the lower appellate court. A litigant may have two or three rights of appeal. From the High Court, an appeal lies to the Supreme Court in certain cases, and, in a proper case, the Supreme Court may grant special leave to a litigant, when no appeal lies to it or the High Court refuses to grant leave to appeal to the Supreme Court.

**Criminal Procedure :** The procedure in criminal cases is based on the Code of Criminal Procedure, 1898. A criminal proceeding for an offence is initiated before a magistrate either on complaint of a private individual, or on a police report, or on an information or magistrate's own knowledge or suspicion about the commission of an offence. The magistrate then examines the complainant, and, if he does not dismiss the complaint, issues process against the accused. Every charge in a criminal case has to set out the offence with particulars as to time and place of its commission and the person against whom or the property against which the offence has been committed. Magistrates try cases relating to offences for which lesser punishments are prescribed.

Where serious offences are involved, a magistrate at first makes enquiries into the case. If he is satisfied that there is a *prima facie* case against the accused, he commits the accused for trial to the Court of Session or the High Court. Every sentence of death passed by a Court of Session has to be confirmed by the High Court. As in civil cases, there are procedures for a reference, a revision and an appeal. A case may ultimately reach the Supreme Court either on a certificate of the High Court or by the special leave of the Supreme Court.

The new Code of Criminal Procedure, 1973, abolishes trial by jury system altogether. Under Section 209, when in a case "instituted on a police report or otherwise, the accused appears or is brought before the magistrate" and it appears to him that the offence is "triable exclusively by the court", he shall "commit the case to the Court of Session." This is a basic change because, under Chapter 18 of the old

code, a procedure was prescribed for a preliminary enquiry before a magistrate even when the case was triable exclusively by the Sessions Court. These proceedings known as "committal proceedings" had as their main objective assuring that persons, who were accused of grave offences, but were proved innocent, were not required to face a sessions trial straightaway and only those against whom a *prima facie* case had been made to undergo the Sessions trial. However, it was found in 1954 that the magistrates committed practically all the persons to Court of Sessions ; the number of persons discharged did not exceed 2 per cent. In 1955, an abbreviated procedure for committal to sessions was introduced under a wide-ranging new section 207-A to obviate the dilatoriness, expense and cumbersomeness of the old procedure. The Law Commission in its Forty-First Report, 1969 found that while the amendment might have reduced the time taken in the committal proceedings, "this gain in time was offset in quite a few states..... by the time taken after commitment for the case to be brought up before the court of sessions for the trial". For these and related reasons, the committal proceedings have now been more or less, abolished. However, the magistrates are empowered to perform certain preliminary functions like granting copies, preparing the records, notifying the public prosecutor, etc.

Some other attempts have also been made to reduce delays in the administration of justice. Thus under Section 167 of the Code where a police investigation into an offence cannot be completed within a period of twenty-four hours, and where there are grounds for believing that the accusation is well-founded, the magistrates to whom the copies of police diaries are forwarded immediately upon expiry of the period, may authorize detention, pending investigation, from time to time, for a term not exceeding 15 days. This provision under the old code led to practices of "doubtful legality" whereby the police filed a "preliminary" or "incomplete charge sheet" and moved the court for remand which were not introduced to apply to the investigation process. However, the law had to safeguard the scope of investigatory powers while ensuring fairness to persons involved. The proviso to Section 167 now provides that "no magistrate shall authorize the retention of accused person in custody for a total period exceeding sixty days, whereafter he would be released on bail if he furnished the bail".

**Work-load of Criminal Courts :** The following statistics indicate the work-load of investigations with the police and trials with the courts in cases arising out of the Indian Penal Code.

S. No.	Year	No. of cases reported during the year	No. of cases for investigation during the year	No. of cases pending investigation at the end of the year	No. of cases for trial during the year	No. of cases pending trial at the end of the year
1.	1966	7,94,733	8,92,923	1,08,127	6,47,970	2,92,003
2.	1967	8,81,981	9,90,363	1,33,275	6,95,155	3,40,882
3.	1968	8,61,962	9,94,484	1,42,053	7,55,890	4,08,983
4.	1969	8,45,167	9,87,417	1,53,044	8,06,246	4,58,316

The numbers of cases pending investigation and trial at the end of the year have been increasing steadily.

In 1966, 47,396 non-cognizable cases were pending at the beginning of the year; 1,31,853 were reported during the year; 22,118 were dismissed without trial; the accused died, escaped or became insane during trial in 2,561 cases; 45,950 cases ended in discharge or acquittal; 37,891 cases ended in conviction and 47,921 cases remained pending at the close of the year. These figures do not include the statistics in respect of Kerala, Nagaland, West Bengal and Pondicherry.

**Evidence—Civil and Criminal :** In both civil and criminal cases, apart from witnesses and documents produced by the parties, the court, in order to discover or obtain proper proof, has power to put any question to witnesses or the parties. It may, on its own motion, summon any witness or order production of documents or other material objects produceable as evidence.<sup>23</sup>

**Procedure for Quasi-Judicial Bodies :** A quasi-judicial authority can prescribe its own procedure. It must, however, follow the principles of natural justice and give an adequate opportunity to the party affected to present its case. The rules of natural justice vary with the varying constitutions of statutory bodies and the rules prescribed by the Act under which they function. The question whether or not any rules of natural justice are infringed has to be decided not on any pre-conceived notions, but in the light of the statutory provisions and rules.

## V. Legal Profession

In the early British period, there were two systems of courts. One was the Crown Courts established at the Presidency towns at Calcutta,

23. Evidence Act, 1872, Section 165; Code of Civil Procedure, 1908, Section 30, Code of Criminal Procedure, 1898, Section 540.

Madras and Bombay. The other was the East India Company's Courts. The qualification of persons practising in these two types of courts were different.

The earliest enactment relating to legal practitioners was Regulation 7 of 1793. The preamble to the Regulation shows that, even before it was enacted, there was a profession of *vakils* whom the Regulation described as 'public pleaders' in the courts of civil judicature in British territories in Bengal. These were men who "followed the business of a *vakil* to obtain a livelihood and appeared in the Courts of Justice or wherever the concerns of their constituents required their attendance."

Regulations for administration of justice made by the Governor-General-in-Council between August 8, 1772 and November 23, 1792 also recognized the existence of *vakils*. For example, Sections 46 and 84 of the Regulation for the Administration of Justice of July 5, 1781, recognized the existence of *vakils*, during that period.

A contemporary writer<sup>24</sup> has written about the legal profession under the head '*Vakeels* or Native Pleaders' thus :

"To save the necessity of the personal attendance of suitors in the courts of civil judicature, and to obtain for them, in pleading their causes, the assistance of men of character and education, versed in the Mohammadan, or Hindu Law, as well as in the regulations of the British Government, provision was made by the regulations, for appointment of *vakeels* or native pleaders in the *zillah* and city courts, the provincial courts of appeal, and the *sudder dewanny adawlut*; under rules, and restrictions calculated to secure to their clients a diligent and faithful discharge of their trust." The preamble to Regulation 7, 1793, sets forth at length the unsatisfactory standards and absence of qualifications of the persons earlier employed as pleaders, "who, by their ignorance of the laws and regulations and imperfect knowledge of judicial proceedings as well as from their being liable to collusion and intrigue with the ministerial officers of the courts, impeded and prevented, instead of aiding and promoting, the speedy and impartial administration of justice. The people, in general, are at the same time necessarily precluded, by their pursuits and occupations in life, from attending the courts of justice, or acquiring a sufficient knowledge of the laws and regulations to enable them to plead their own causes. It was, therefore, indispensably necessary that the pleading of causes should be made a distinct profession; that none but persons duly qualified should be admitted to plead in courts of judicature; and that, with a view to induce men

24. Harrington, John Herbert: *Elementary Analysis of Laws and Regulations*, Vol. 1, Calcutta, 1805, pp. 148-161.

of education and character to undertake the office of pleader to prevent their being deterred from pleading the causes of their clients with becoming freedom, and to ensure integrity and fidelity in the execution of their duties, their appointments should be secured to them as long as they conform to the regulations prescribed for their guidance; and they should be entitled to receive a fixed and liberal compensation proportionate to the amount or value of the cause of action in the suits wherein they might be employed." Regulation 7 of 1793 confined the profession of *vakeels* and native pleaders to Hindus and Muslims. Rules were also enacted regarding *Vakils* and pleaders in various subsequent Regulations.<sup>25</sup> All these rules were rescinded by Regulation 27 of 1814, its purpose being "to reduce them into one regulation with amendments and modifications (of) the several rules which have been passed regarding the office of the *vakeel* or native pleader in the courts of civil judicature." The preamble to that Regulation states that it has been "deemed expedient to transfer to the provincial courts the control exercised by the *sudder dewanny adawlut* in the appointment and removal of *vakeels* or native pleaders in the *zillah* and city courts; and in the provincial courts; and that the speedy adjustment of disputes may be facilitated by empowering the authorized *vakeels* to receive certain fees for legal opinions furnished by them, and by vesting them with authority to act as arbitrators under the general regulations", for which purposes and with a view to promoting the public convenience by including the whole of the provisions respecting the office of *vakil* in one regulation, which come in force from the February 1, 1815, throughout the whole of the provinces immediately subject to the Presidency of Fort William.

Act 1 of 1846, by its Section 4, threw open the office of pleaders in the courts of the East India Company to all persons irrespective of their nationality or religion, provided that no person shall be admitted as a pleader in any court unless he has obtained a certificate in such manner as shall be directed by *sadr* courts that he is of good character and duly qualified for the office.

**Crown Courts :** In the Charter of 1726 establishing the Mayor's Courts at Calcutta, Madras and Bombay, there was no specific provision laying down any particular qualification to be possessed by persons who would be entitled to act or plead as legal practitioners

25. Regulation 7, 1793, Section 4 of Regulation 16; Section 2 of Regulation 15, 1795; Section 4 of Regulation 21, 1803; Regulation 13, 1795; Regulation 8, 1796; Sections 4 & 5 of Regulation 8, 1797; Sections 3 and 4 of Regulation 3, 1802; Regulation 10, 1803, and the third clause of Section 6, Regulation 13, 1808. All these rules were rescinded in 1842 by Section 2 of Regulation 27, 1814.

for suitors in those courts ; it was left to be regulated by the rules of practice which the court was authorized to frame. The procedure was an adaptation of English procedure and the language of the court was English. In the Charter of 1774, establishing the Supreme Court in place of the Mayor's Court pursuant to Regulating Act of 1773, a specific provision was made in clause 11 of the Charter about lawyers who could appear, plead and act before the Supreme Court. The Supreme Court could approve, admit and enrol such and so many advocates and attorneys-at-law as they deemed fit to do and to remove them on reasonable cause. The expression 'Advocates' then extended only to English and Irish Barristers and Members of the Faculty of Advocates in Scotland. The court was, therefore, from its inception, an exclusive preserve for members of the British legal profession. *Vakils* and Indian pleaders were rigorously kept out.

On the establishment of the first three High Courts pursuant to the Indian High Courts Act, 1861, all the courts in British India became in the full sense Crown Courts and were brought under a unified system of control. Clause 9 of the Letters Patent of 1865 (which replaced that of 1862) authorized the High Courts to approve, admit and enrol advocates, *vakils*, attorneys and to allow them to appear, plead and act for suitors subject to rules and directions of the High Courts. Further, Act 20 of 1865 required the new High Court to make rules for the admission of proper persons to be pleaders. In 1879, the Legal Practitioners Act consolidated and to some extent amended the law on the subject. The Act provided for the qualifications of pleaders and *mukhtars* and revenue agents and their suspension and dismissal. In the matter of admission of women as legal practitioners, different High Courts took different views. In the year 1916, the Calcutta High Court refused to enrol Miss Regina Ghua as a legal practitioner under the Act of 1879. The Patna High Court also, in November, 1927, took a similar view. The Allahabad High Court, however, enrolled Miss Shorabji. To remove doubts about the right of women to practise as legal practitioners, the Legal Practitioners (Women) Act, 1923, was enacted in April, 1923.

In 1926, pursuant to the recommendations of the Indian Bar Committee, the Indian Bar Councils Act, 1926, was enacted. It constituted Bar Councils and consolidated and amended the law relating to the legal practitioners entitled to practise at the High Courts. The Act provided for the admission and enrolment of advocates, their qualifications and for their punishment for misconduct.

**After Independence :** After Independence, the All India Bar Committee recommended in 1953 the creation of an All India Bar Council



and a common roll of advocates. Again, in 1958, the Law Commission, in its Fourteenth Report on Reform of Judicial Administration reinforced the view expressed by the Committee. The Advocates Act 25 of 1961 was passed by Parliament to implement the recommendations of the All India Bar Committee and of the Law Commission. The main features of the Act are

- (i) the establishment of an All India Bar Council and a common roll of advocates, an advocate on the common roll having a right to practise in any part of the country and in any court including the Supreme Court ;
- (ii) the integration of the Bar into a single class of legal practitioners known as advocates ;
- (iii) the prescription of a uniform qualification for the admission of persons to be advocates ;
- (iv) the division of advocates into senior advocates and other advocates based on merit ;
- (v) the creation of autonomous Bar Councils, one for the whole of India and one for each state—the Council for India being constituted by representatives elected by state Councils ;
- (vi) punishment of advocates for misconduct.

The Bar Council of India has been empowered to make rules in regard to various matters relating to the legal profession and in particular for the purpose of regulating the standards of legal education to be observed by the universities of India and for the inspection of the universities for that purpose.

The Act further enables the continuance of the existing system known as the dual system prevailing in the High Courts of Calcutta and Bombay.

Notwithstanding the Advocates Act, 1961, any person who was entitled to practise before the *Tribunal Superior d'Appeal* at Pondicherry is recognized as an Advocate of the High Court in relation to cases coming before the High Court of Tamil Nadu from Pondicherry.<sup>26</sup>

## VI. Personal Laws

**Hindu Law :** The Constitution of India has, as we have seen, kept alive all the laws in force in the territory of India immediately before the commencement of the Constitution until altered, repealed or amend-

26. The Pondicherry (Administration) Act 49 of 1962 enacted on December 5, 1962, with retrospective effect from August 16, 1962.

ed by competent legislature or other competent authority. It has conferred power both on the union and state legislature to enact laws with respect to marriage and divorce; infants and minors; adoption; wills, intestacy and succession; joint family and partition. These are all matters in respect of which parties in judicial proceedings were immediately before the commencement of the Constitution subject to their personal law.

The constitution and jurisdiction of civil courts in the states of the union are governed by several Acts. Those Acts provide for administration of personal laws of Hindus and Muslims.

Originally, Hindu law was territorial in character. With the advent of the Muslims, it could no longer claim to be absolutely territorial; it was confined to the Hindu community alone. The rule that their respective personal laws could apply to Hindus and Muslims began in India with the advent of the Muslims and was continued by the British rulers also. Warren Hastings began with the general rule that Hindus should be governed by the laws of their *Shastras* and the Muslims should be governed by their *Quran*. This policy was adhered to by the British. In course of time, however, the British attempted to reduce the scope of the applicability of personal laws to these communities and widen the scope of the general laws to them. We have already seen how the general laws relating to crimes and the criminal procedure, the laws relating to contracts and transfer of property and laws regulating civil procedure and limitation became applicable to them.

Though progressively limited in its scope, Hindu law even today is the law for the Hindus in certain matters subject to changes made in it by the legislature.

The main heads in which Hindu law governs Hindus are succession and inheritance to males and females, exclusion from inheritance, women's property (*stridhan* and property inherited by the women), coparcenary (joint family) and coparcenary property, debts, partition, gifts, wills, religious and charitable endowments, marriage, adoption, minority and guardianship, maintenance, conversion from Hinduism, impartible property and the law of *Damdupat*. However, quite a large portion of the Hindu law is now to be found in statutes which have, altered, added to or nullified the effect of the law that existed before. These may be briefly noticed. Forfeiture of rights enjoined by Hindu law on the apostacy or exclusion of a Hindu from religion has been done away with<sup>27</sup>. The legality of the remarriage of the Hindu widows which was in some doubt has been accepted by the Hindu Widow's Remarriage Act<sup>28</sup>. A Hindu convert to Christianity is entitled to have

27. Caste Disabilities Removal Act XXI of 1850.

28. Act XV of 1856.

his Hindu marriage dissolved<sup>29</sup>. The Hindu Law of Contract has been superseded by the Indian Contract Act<sup>30</sup>. The age of majority has been fixed at eighteen years except as to marriage and adoption<sup>31</sup>. The Hindu Law of Transfer of Property has been, with a few exceptions, superseded<sup>32</sup>. Bequests in favour of unborn persons have been validated<sup>33</sup>. No affliction, physical or mental, barring congenital lunacy or idiocy, operates as a bar to a claim to inheritance or partition<sup>34</sup>. In the matter of intestate succession, the son's daughter, daughter's daughter, sister and sister's son have been placed after the paternal grandfather and before paternal uncle in *Mitakshara* law of succession<sup>35</sup>. It is penal law to marry girls below fourteen and boys below eighteen years of age<sup>36</sup>. Earnings made as a result of special education imparted at the expense of the family are deemed to be the separate property of the acquirer<sup>37</sup>. Fresh rights were conferred on Hindu women by Hindu Women's Rights to Property Act<sup>38</sup>.

In 1955, fundamental and far-reaching changes were made in the sacramental law of Hindu marriages<sup>39</sup>. The religious character of the institution has been blurred in the modern notions of matrimony based upon western culture and social outlook. The Special Marriage Act of 1954 had already extended a large latitude to the adherents of Hindu faith among others to have their marriages performed under that Act whether their spouses were within the Hindu fold or not. But a marriage under that Act attracted the rules of succession under the Indian Succession Act and not those of Hindu law. It was found necessary that provision should be made regarding those Hindus who did not desire to be governed by the Indian Succession Act but who still felt that some of its provisions, such as divorce, judicial separation and others, should be available to them also. This led to the enactment of the Hindu Marriage Act of 1955 which overrides the old Hindu law and the earlier statute law inconsistent with any of the provisions of the Act. The Hindu Succession Act<sup>40</sup> is also the outcome of a reformist movement in the Hindu fold. It amends and codifies

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29. Native Converts Marriage Dissolution Act XXI of 1866.

30. Act IX of 1872.

31. Majority Act IX of 1875.

32. The Transfer of Property Act IV of 1882.

33. Hindu Disposition of Property Act (Act XV of 1916).

34. Hindu Inheritance (Removal of Disabilities) Act XII of 1928.

35. Hindu Law of Inheritance (Amendment) Act II of 1929.

36. Child Marriage Restraint Act XIX of 1929.

37. Hindu Gains of Learning Act XXX of 1930.

38. Act XVIII of 1937.

39. The Hindu Marriages Act XXV of 1955.

40. Act XXX of 1956.

the law relating to intestate succession among Hindus. The Act has, amongst other things, adopted the principle that property inherited by a woman, whether it be from a male or female, whatever be the school of Hindu law by which she is governed, is taken by her as an absolute owner. The Act thus radically supersedes the personal law of the Hindus to be gathered from the texts and custom. It also overrides the statute law hitherto applicable to the Hindus if it is inconsistent with any provisions of the Act.

Certain parts of the law relating to minority and guardianship among the Hindus were amended and codified in 1956<sup>41</sup>. This Act also supersedes the old Hindu law and previous statute law if inconsistent with any provisions of the Act. The law relating to adoption and maintenance among Hindus was also amended and codified in 1956<sup>42</sup>. This Act has superseded old Hindu law and previous statute law if inconsistent with any of its provisions.

After this spate of codification, only a few topics such coparcenary, partition, reunion, debts, remain to be dealt with under the uncoded personal law of the Hindus. After independence, the codification of Hindu law has been phenomenal.

**Muslim Law :** Like Hindu law, Muslim law is applied by the courts in India to the Muslims in some matters only. The Muslim Personal Law (*shariat*) Application Act, 1937, provides for the application of their personal law to the Muslims. The Act provides that, notwithstanding any custom or usage to the contrary, if the parties are Muslims, the rule of decision shall be the Muslim Personal Law (*shariat*). The Muslim law applicable relates to intestate succession, special property of females, including personal property, inherited or obtained under contract or gift or any other provisions of personal law, marriage, dissolution of marriage, including *talaq*, *ila*, *zihar*, *lian*, *khula* and *mubaraat*, maintenance, dower, guardianship, gifts, trust and trust properties and *waqfs* (other than charities and charitable institutions and charitable and religious endowments). The right of a Muslim wife to obtain a decree for dissolution of her marriage is now governed by the Dissolution of Muslim Marriage Act, 1939. The Muslim Wakf Validating Act, 1913, as amended in 1930, validates settlement of property by way of *waqf* by Muslims in favour of their families children and descendants. The reformist movement which has led to the modernization of important sections of Hindu law does not appear to have touched the Muslims.

We have referred to the personal law of the Hindus and Muslims. These personal laws are uncoded as well as coded, and they govern

41. The Hindu Minority and Guardianship Act XXXII of 1956.

42. The Hindu Adoption and Maintenance Act 78 of 1956.

the communities concerned. The central and state legislations in respect of the Hindus and Muslims are too numerous to be mentioned.

**Other Communities :** There are also many pieces of legislation, both central and state, which deal with particular communities other than Hindus and Muslims. As examples may be mentioned Indian Christian Marriage Act, 1872, Christian Succession Act, 1902 of Kerala, Indian Divorce Act, 1868, and Parsi Marriage and Divorce Act, 1936.

**Uniform Civil Code :** The constitution of India contemplates a uniform civil code for all citizens. The Special Marriage Act, 1954, is a step towards that direction. Individuals seeking to take advantage of it are not required to deny their faith. The Act also provides liberty to those who have already contracted valid marriages according to their personal laws to apply for registration of their marriage under the new law and make its provision applicable to them. The need and feasibility of a uniform civil code continues to provide the occasion for an ongoing lively national debate.

## VII. Public Order and Police

With the disintegration of the imperial authority of the Mughals, there was a complete breakdown of the police system and it was to this legacy that the East India Company succeeded as the *Diwan* in 1765.

Warren Hastings is reported to have first established a system of police on the pattern of the Mughals. It is reported that, in 1774, he organized a sort of police force for suppressing dacoities, which had become a menace at that time in Bengal, by giving certain powers to and imposing certain duties on landholders and farmers and other collectors of revenue to attain this object. This was found to be ineffective and was given up in 1781, when magisterial power to apprehend dacoits was conferred on the judges of the several *Diwani Adalats*, who were, however, not to try them but to forward such arrested persons to the *Faujdari* courts for trial. A similar power of arresting dacoits was also conferred on *zamindars*, who, in course of time, were entrusted with the duty of keeping the peace of their *zamindari*, and were bound generally, to apprehend all offenders, and their farmers and watchmen were made similarly responsible.

In the year 1793, Regulation XXII of 1793 was passed, during the time of Lord Cornwallis, the first regular enactment relating to the police, re-enacting previous police regulations passed in 1792 by the Governor-General-in-Council for the establishment of an efficient police

throughout the country, containing elaborate provisions on the subject. Under these regulations posts of magistrates of districts were created ; each district was divided into police jurisdictions of about 400 square miles and placed under a *darogha*, who worked under the authority of a *kotwal*. Subsequently, the government reverted for some time to the system of investing landlords with police powers and authorized respectable Hindu and Muhammadan inhabitants to work as police *amins*. Then came Lord Moira (Marquess of Hastings) who, after a full enquiry, passed a measure, Regulation XX of 1817, of which an important feature was that the appointment of all police officers was entrusted to magistrates. In 1831, Regulation XI of that year was passed dealing with the police powers of the *tahsildars*. In spite of all this legislative activity, there existed great dissatisfaction about the police administration, so much so that in 1838, a committee was formed by Lord Auckland to investigate the state of the Bengal police.

Coming to the Bombay Presidency, the statute book discloses enactments relating to the subject of police, beginning from the year 1818 to 1833, investing landlords with police powers. Upto 1849 the police administration of Bombay was conducted under the superintendence of the *Faujdari Adalat*. In Bombay also great insecurity of life and property prevailed for some time until the Government in 1832-33 reformed the police, by appointing separate officers as superintendents of police, and separate sitting magistrates to try cases that were brought up.

In Madras, Regulation XXXV of 1802 seems to have been the earliest Police Regulation, and the last was Regulation IV of 1821.

With the annexation of Sind in 1843, Sir Charles Napier, who took the administration of the newly conquered province, organized the police system in Sind on the model of the Royal Irish Constabulary. The Sind system was introduced in Bombay and extended to the Punjab, North West Frontier and Oudh.

The government was transferred to the British Crown in November 1858. The Great Revolt of 1857 led the British administrators to serious rethinking for reorganization of the police throughout India and to make it an effective and highly disciplined instrument of civil administration.

In 1860 the Government of India appointed the First Police Commission. On the recommendations of the Commission, the Police Act, 1861, was enacted, which imposed a uniform police system. The Act established the police on a provincial basis with an inspector-general of police as its head. The Act, which is still in force, regulates the organization, recruitment and discipline of the force and deals with such matters as police powers with regard to public assemblies, the punishment for certain offences on roads, etc. In 1895 the Police (Amend-

ment) Act, VIII of 1895 was passed to remedy certain defects in Act V of 1861. The Police Act III of 1888 was enacted creating general police districts embracing parts of two or more provinces, and to enrol for service therein a special police force under special police authorities and to authorize the temporary employment of police officers in places beyond the Presidency or general police district to which they belong. The Police (Incitement to Disaffection) Act, 1922 (Act XXII of 1922) was enacted to penalize any attempt by means of threats, intimidation and otherwise to induce members of the police force to refrain from doing their duty and to spread disaffection among them. The Indian Penal Code (Act XLV of 1860), the Code of Criminal Procedure (Act V of 1898) and the Indian Evidence Act (Act I of 1872) were enacted.

In 1866 the Railway Police was constituted and the responsibility for the prevention, detection and prosecution and maintenance of order on railway platforms were entrusted to the Railway Police in 1882. Even after the enactment of the Police Act, 1861, the police administration continued to be inefficient and corrupt. The Indian Police Commission of 1902-03, set up by the government, examined the working of the police constituted under the Act and recommended some remedies, many of which were implemented.

**Independence and After :** With the achievement of freedom in 1947 the police had to function in a totally changed environment. During the British regime, the duty of the police was limited to carrying out the orders of an alien administration implicitly and they owed no duty towards the subjects. Broadly speaking, the British followed a policy of *laissez faire*, limiting the activities of the government to the minimum. They were content with the establishment of what is called "Pax Britannica", the collection of revenue for the upkeep of their government and for the defence of the empire. After independence, the government at all levels from villages to the Parliament is democratic and influences every aspect of our life. The socialistic pattern of society to which India is committed has increased the tasks of the State, and the complexity of social relationship has imposed new obligations on the police. Evolution is in progress, which demands from police officers an adaptability and a human understanding of problems which go considerably beyond the realm of the administrative order of which they are legally the representatives.

The Indian Constitution came into force in January, 1950. So far as "public order" is concerned, Article 19 providing to the citizens the right of freedom of speech and expression, and to freedom of assembly subject to reasonable restrictions as may be imposed by existing law or any law that may be made, in the interest *inter alia* of the sovereignty

and integrity of India, security of State, public order, etc ; Article 20 providing protection in respect of conviction of offences ; Article 21 providing protection of life and personal liberty ; Article 22 providing protection against arrest and detention and authorizing legislatures to enact law for preventive detention, with constitutional safeguards, for the purpose of prevention of acts prejudicial to the security of the State; maintenance of public orders etc ; and Article 25 providing freedom of religion are relevant.

The Indian Constitution makes no reference to the policy in any of its Articles except in Article 33 which provides for restriction of fundamental rights in their application to the forces charged with the maintenance of public order. The police and various matters connected with the criminal law find mention in the Seventh Schedule. It demarcates the respective field of state, central and concurrent legislative competence, with respect to police and criminal law. Police and public order are within the state field of legislative competence. Preventive detention for reasons connected with the security of a state, the maintenance of public order or the maintenance of supplies and services essential to the community, and persons subjected to such detention are in the concurrent field of legislative competence. Article 249 gives enough power to the centre to intervene in state police administration, if there is enough justification for doing so, in the best interest of the country.

The police organization in India can be divided into two parts, namely, (1) that under the control of the central government, and (2) that under the control of the state governments.

The police establishments under the central government are :

- (i) Central Reserved Police Force constituted under Act LXIV of 1949 for the purpose of providing assistance to state governments for maintenance of law and order.
- (ii) Intelligence Bureau for the purpose of collecting intelligence relating to the security of the country and protection of foreign visitors. The bureau maintains a close liaison with the similar establishments in states and advises them in all matters of common interest.
- (iii) National Police Academy where members of the Indian Police Service receive their basic and in-service training.
- (iv) Central Forensic Science Institute at Calcutta; Central Finger Print Bureau at Calcutta; Central Detective Training Schools at Calcutta and Hyderabad; Central Transport School at Sagar; and Central School for Weapons and Tactics at Indore.
- (v) Central Bureau of Investigation and Special Police Establishment : The Delhi Special Police Establishment Act was



enacted for the purpose of investigating offences of bribery and corruption. The Central Bureau of Investigation (CBI) was constituted by Resolution No. 4/31/61-T dated, April 1, 1963.

The Railway Protection Force, constituted under Act 23 of 1957, Border Security Force, created under Act 47 of 1968, and the Central Industrial Security Force, created under Act 50 of 1968, are not police forces constituted under the Police Act, 1861, but they are manned by police and army officers and the head of each of these forces is a member of the Indian Police Service. The members of these forces have been given certain police powers, such as, powers of search, seizure and arrest in the discharge of their duties.

In every state the inspector-general of police is the head of the police organization and he is responsible to the state government for the administration of the police force. Under section 5 of the Police Act, 1861, full powers of a magistrate vest in him but he has to exercise those powers subject to such limitations as may from time to time be imposed by the state government. The organizational set up in each state is (1) police out-posts or *chowkies* (2) police stations (3) police circles (4) police sub-divisions (5) police districts and (6) ranges. Two or more out-posts form a police station; two or more police stations form a circle or sub-division; two or more circles or sub-divisions form a district and two or more districts form a range. Each range is incharge of a deputy inspector-general of police; each district incharge of a superintendent of police; each sub-division incharge of an assistant or deputy superintendent of police; each circle incharge of an inspector of police; each police station incharge of a sub-inspector of police and each out-post or *chowki* incharge of a head constable.

In Presidency towns of Calcutta, Bombay and Madras, a commissioner of police is the head of the organization and he is assisted by deputy commissioners and assistant commissioners. The above administrative set-up functioning in Presidency towns has been extended to many important cities after independence. Except in Calcutta, where the commissioner of police is independent of the inspector-general of police, in all other places the commissioners of police are under the administrative control of the respective inspector-general.

In Calcutta and Madras the commissioners of police and joint or deputy commissioners of police are appointed as Justices of the Peace only for the purpose of preservation of the peace and prevention and detention of crimes. In several states commissioners and his deputies are specially empowered by state governments to have all powers of a district magistrate for the purpose of preservation of the peace and

prevention and detection of crimes only.

In 1951 the All India Services Act (Act LXI of 1951) was enacted constituting an All India Service known as the Indian Administrative Service and the Indian Police Service. Rules were framed regulating the recruitment, training, uniform conditions of service, etc. of the members of the Indian Police Service.

In 1949 the Police Act (Act XXVI of 1949) was passed providing for the constitution of a general police district embracing two or more union territories. In 1951 the Bombay Police Act (Act XXII of 1951) was passed repealing the Bombay District Police Act and Bombay City Police Act of 1902. The Kerala Police Act and the Mysore Police Act were enacted in 1960 and 1963 respectively. The Police Forces (Restriction of Rights) Act, 1966, was enacted to provide for the restriction of certain rights conferred by Part III of the Constitution in their application to the members of the forces charged with the maintenance of public order so as to ensure the proper discharge of their duties and the maintenance of discipline among them.

At the dawn of independence rural police systems existing in various states were generally hereditary and village officers were maintained from the proceeds of the revenue and the village watchmen were paid contributions or were allowed *inam* lands. Village police were recruited usually from among the scheduled caste or tribe and criminal classes and were illiterate and being part-time servants could not devote proper time and attention to their duties. There was no uniformity in the rural police systems and they differed from state to state. In Uttar Pradesh, West Bengal, Bihar, Orissa and Madhya Pradesh, the rural policing was done through the village *mukhia* (headman) and village *kotwars* (*chowkidars*); in Maharashtra and Gujarat through the village *patil* and *kotwars*; in southern states through the agency of village *karji* (magistrate) and *karanam* (*munsiff*) and *talyaries* (watchmen) and in the Punjab through *lambardar* (headman) and *chowkidars*.

The British concentrated in towns and consequently more emphasis was laid on town policing. As such, urban policing developed on much better and systematic lines while the rural policing was neglected.

As the countryside is in a socio-economic ferment after independence the police problems have increased in rapid strides. It has been recognized that in the periods of rapid socio-economic changes, the social maladjustment which is the root-cause of the bulk of the crime increases. With the tremendous improvement in communications the traditional isolation of rural areas has ceased. Apart from offences against persons and property which are on the increase in villages, a new class of people known as *goondas* has appeared, a few of whom may keep a whole village at bay by intimidation, mischief and black-

mailing. The *panchayat* elections have encouraged party factions in villages. Thefts of copper wire from the tele-communication lines, attempts at derailment of trains by removal of fish plates, nuts and bolts from the railway track and holding up and looting of foodgrains and valuable property from the running trains are more or less concentrated in the rural areas. Furthermore, the policing of rural areas on our borders has assumed great importance and the Sino-Indian and Indo-Pakistan conflicts emphasized the necessity to have some organization at the village level which is capable of mobilizing the villagers spontaneously for civil defence or other emergencies without the assistance of regular police or without seriously straining their resources.

The average village headman does not enjoy the same esteem and position which the Indian Police Commission had visualized in 1902-03. Today India is a democratic country. The political consciousness of the people is awakened and there has been a significant change in the social structure. There is an impression that the village headman is a representative of a feudal society. In olden days perhaps he had a social status but today with the advent of decentralization of administration and the ushering in of *panchayati raj*, the village headman, as every body else, has his own political affiliations and he throws his weight in all elections. In view of this, it is difficult to presume that the village headman represents the village community. His place and position in the village society is fast receding. Today, not only the utility, but the very existence of the institution is being challenged.

On the above background and the enactment of the Gram Panchayat Act several states have reorganized their village police system but no uniform procedure could be evolved which can be applicable throughout the country.

It is sometimes felt that crime has increased ; civil disorders have become fairly common place, and people are prone to use unconstitutional and often violent methods to further sectional interests, or to impose opinions or policies on others. Traffic problems have increased. It is necessary to state that the police are the instrument placed at all times at the disposition of the State in order to secure, in the interest of the general public, the enforcement of rules and security measures necessary to the stability of the society and, for the citizens, the free and peaceful enjoyment of their rights—curbing these rights only when they are abused.

The volume and scope of crime in every country has given rise to organized crime at the international level which has demanded an international agency to deal with it. The agency for cooperation in the fight against international crime is the International Criminal Police Organization commonly known as Interpol. India is one of the affiliated

countries of the Interpol. All references to Interpol are handled by the CBI.

The creation and efficient operation of a modernized police force is essential to guarantee the "Rule of Law" in the social structure of today.

### VIII. Jails

#### A. REVIEW OF PRISON REFORMS

Since ancient times crime has been a major social problem. In our ancient literature references are found to crime and punishment. Manu, Chanakya and other ancient writers have dealt with these problems. Society has been trying to contend with crime problem in accordance with the changing concepts of crime and punishment. During the Mughal and Maratha periods, India had its own system of punishment which reflected the then existing outlook towards crime.

After the advent of the British in India, prison administration began to take a concrete shape. In the latter half of the 18th century and in the early part of the 19th, prison reformers like John Howard and Mrs. Elizabeth Fry began to agitate about improving conditions in British prisons. This movement of prison reforms in England had its repercussions in India also. A committee was appointed in 1836 to study the conditions of Indian prisons. Macaulay was a member of this committee. The appointment of this committee was the first milestone in the history of prison reforms in India. Another committee was appointed in 1864. A conference of experts was held in Calcutta in 1877. In 1899, another committee was appointed. In 1894 the Prisons Act was passed. In 1900 the Prisoners Act was passed. A detailed analysis of the recommendations of these committees is beyond the scope of this section. However, it may be observed that the appointment of the above committees, the deliberations of the conference of experts, the passing of the Prisons Act in 1894 and of the Prisoners Act in 1900 are important landmarks in the history of prison reforms in India.

**Indian Jails Committee (1919-20) :** The next important event was the appointment of the Indian Jails Committee (1919-20). After having made a study of prison systems in other countries as well as in India, this committee made far-reaching recommendations regarding prison administration in India. In fact, the recommendations of the Indian Jails Committee (1919-20) have virtually laid a broad-based foundation for the development of prison system in India during the last half a century.

**Jail Reforms Committee :** After the promulgation of Government of India Act, 1935, when the prisons became a transferred subject, following committees were appointed by various states to improve conditions in Indian prisons :

- (i) The United Provinces Jail Enquiry Committee.
- (ii) Committee on Prison Reforms in Mysore, 1940-41.
- (iii) The U.P. Jail Reforms Committee, 1946.
- (iv) The Bombay Jail Reforms Committee, 1946-48.

Many of the Indian leaders who had played an important role in the country's struggle for freedom and had spent many years in prisons were fully aware of the urgency of improving the conditions in Indian jails. Therefore, immediately after India became free, steps were taken to improve the conditions of the prisons on a priority basis. This led to the appointment of the following committees to suggest the reforms :

- (i) The East Punjab Jail Reforms Committee, 1948-49.
- (ii) The Madras Jail Reforms Committee, 1950-51.
- (iii) The Jail Reforms Committee, Orissa, 1952-55.
- (iv) The Jail Reforms Committee Travancore-Cochin State, 1953-55.

**Training of Prison Administrators :** The Government of India was fully convinced that prison reforms must be based on scientific tests. It was, therefore, considered essential to impart training to prison administrators who will be responsible for implementing various reforms in Indian prisons. Government of India took initiative in this matter. In 1951 W. C. Reckless, an eminent social scientist from the USA and a world authority on correctional matters, was invited to India under the UN Technical Assistance Programme to organize a training programme for Indian prison administrators. Under the aegis of the Tata Institute of Social Sciences and under the guidance of its director, J. M. Kumarappa and W. C. Reckless, 47 senior prison administrators underwent a training programme in social sciences and scientific correctional methods. These 47 trained officers formed the initial corps of trained correctional workers who were supposed to function as torch bearers in the field of implementation of scientific prison reforms in different states in the country.

W. C. Reckless submitted his report to Government of India suggesting various prison reforms and measures to streamline prison administration in India.

**All India Conference of Inspectors-General of Prisons :** It was felt that the social problem of crime had to be dealt with from a different angle in accordance with the changing situation. In 1952 an All India Conference of inspectors-general of prisons was held in Bombay.

The inspectors-general made various recommendations for improving the prison system in India. This conference also recommended that the *Jail Manual* of various states should be revised. The inspectors-general of prisons suggested that a committee consisting of the inspector-general of prisons of Bombay State (Maharashtra) and two prison superintendents should prepare a draft Manual.

**All India Jail Manual Committee (1957—59).** After the compilation of draft *Jail Manual*, Government of India, in consultation with state governments set up the All India Jail Manual Committee (1957) which prepared a *Model Prison Manual* for the use of various states in India. The main recommendations of the All India Jail Manual Committee are briefly outlined below :

(i) **Headquarters Organization :** Prevention, control and treatment of delinquency and crime and after-care of offenders should be treated as component parts of a unified programme of social defence. Juvenile delinquency, probation and after-care services should be coordinated and included in the Department of Prisons and Correctional Services under the control of the Home Department (which deals with law and order). The headquarters organization should be according to territorial needs, number of institutions and size of inmate population. Only persons with sufficient knowledge and experience should be appointed inspectors-general, preference being given to a suitable departmental officer, if available. Efforts should be made to utilize all possible community resources.

(ii) **Diversification of Institutions :** Institutions should be diversified on the basis of sex, age, criminal record, length of sentence, security conditions, needs of training and treatment, etc. Besides remand homes and certified schools for children, there should be separate institutions for women, adolescent offenders, habitual criminals, difficult disciplinary cases, under-trial prisoners, tuberculosis, leprosy and mental cases, etc.

(iii) **Architecture and Buildings :** Architecture of correctional institutions should be governed by two principles, viz., adequate protection of society and adequate resources for implementation of correctional programmes. Future institutions for selected non-habitual offenders should be of a semi-open or open type of functional architecture.

(iv) **Boards :** There should be (a) a Central Bureau of Correctional Services, (b) Central and State Advisory Boards to discuss problems relating to correctional services and other enforcement agencies and (c) Board of Visitors, Review Board

and Service Board in each jail.

(v) **Statistics and Research** : The headquarters office should have a statistical branch staffed by trained personnel. Central and district prisons should have statistical units. Correctional statistics should be linked up with census, health and crime statistics and there should be coordination between police and correctional administrations. A Research and Planning Unit should be attached to the Staff Training Institution or to the headquarters office.

(vi) **Recruitment and Selection of Personnel** : There should be an All-India Correctional Service cadre comprising of IGs, DIGs, deputy/under secretaries, superintendents of central and district jails and senior training personnel—80 per cent of the cadre being filled up from departmental personnel and the rest through direct recruitment. Pre-service educational programmes should be developed to train individuals for Correctional Service. The main recruitment of officers should be at the level of assistant superintendent. Higher posts should be filled by those officers having integrity, ability and leadership for correctional work.

(vii) **Training of Staff** : Staff should undergo, adequate training such as initial base training, refresher course, specialization etc. Each state should have a school for training of correctional officers. An *All-India Training Manual* should be prepared. There should be an All-India pool of training staff and inter-institutional exchange of teaching staff. Inter-state tours of correctional officers and conferences of correctional workers at central and state levels should be organized. Training facilities offered by international agencies should be availed of.

(viii) **Service Conditions** : Satisfactory employment conditions should be provided so as to attract the right type of staff. The Correctional Service should be a career service, allowing growth on the basis of work, integrity, initiative and expert knowledge ; it should afford job satisfaction to its members. Adequate staff of each category should be provided for the duty posts, taking duty hours per day as basis. Safeguards and protection should be afforded to staff, as they are continuously exposed to complex and exacting conditions.

(ix) **Personnel Discipline** : A good level of staff discipline and morale should be built up through staff training and orientation, fixation of lines of authority, definition of staff functions and responsibilities, and control and elimination of corruption,

fissiparous tendencies and unsuitable staff.

(x) **Staff Welfare** : Staff welfare activities should be organized. There should be a staff welfare fund for relief in sudden illness, extra medical help, education of children, recreational and cultural activities, staff canteens, clubs, library, sports, etc. An emergency fund may also be operated through a welfare committee in each institution.

(xi) **Classification** : The classification of prisoners for treatment purposes should be a dynamic and continuous operation from admission till release and should be made on the basis of age, physical and mental health, length of sentence, and degree of criminality and character, taking into consideration the history of an offender's criminal behaviour, social background, possibilities of contamination, security gradations, educational and training needs and requirements for rehabilitation.

(xii) **Facilities** : Basic facilities and concessions like sanitary and hygienic conditions, letters and interviews, remission of sentences, books, periodicals, recreational and cultural activities, etc., are necessary for humanizing conditions of living in prison, so as to counteract demoralization, brutalization and undesirable impacts, and to provide incentives to self-improvement.

(xiii) **Education** : The educational programme should be compulsory for all prisoners and consist of physical and health education, academic education, social education, vocational and cultural education. It should aim not only at literacy but also at correction ; correctional activities being woven round diversified educational programmes. These should be organized to suit the needs of different inmate-groups, and with a view to help the inmate to develop as an effective member of social groups and reorient his attitude towards society and social conduct. Minimum facilities like class-rooms, library, audio-visual and other equipment should be provided, as also adequate staff. There should be three levels of education—for beginners, intermediates and advanced. The programmes should be related to after-care and to the educational system outside, so that they may be continued after release. Prisoners and released prisoners should be allowed to appear at school, board and university examinations as required.

(xiv) **Work and Employment of Prisoners** : Work should be treated not as an additional aspect of punishment but as an important avenue of imparting useful values to inmates for their vocational and social adjustment in the free community ; prison



labour should not be afflictive and repressive, but should be under conditions stimulating industrial habits and positive interest in work. Work and training projects should be varied and suited for equipping or readjusting prisoners for occupation outside in accordance with their aptitudes, capacities and needs of rehabilitation. The interest of prisoners must not be subordinated to making financial profit from industry. Prison labour should not be hired to private employers. Production and training programmes should be balanced and integrated with State and national economic policies and development plans. Prisoners may be employed on institutional services, production of articles required for inmates, correctional and other government departments, nation-building activities, etc. For employment, work and training in prisons, certain kinds of industries, handicrafts, cultivation, rearing of animals and public works are suggested.

Minimum standards for hours of work, rest, safety-measures, etc., should be adopted and standard tasks, wages and costing fixed in accordance with local conditions. Workshop management should be rationalized and brought in line with modern industrial units. The system of convict officers should be abolished.

(xv) Vocational Training : Apprenticeship training, on-the-spot job training and vocational training should be organized in every central and district prison. Curricula and tests in government technical and vocational institutions outside should be adopted as far as possible and, as suitable to the educational and vocational abilities of inmate groups. Vocational guidance should be extended to each inmate according to his aptitude, ability and rehabilitation need. Long-termers should be given opportunities for acquiring multiple skills. Adequate training aids and staff should be provided, the expenditure on these being treated as essential, independently of considerations of profits from the sale of products of training projects.

(xvi) Cultural Activities : Institutions should offer recreational and cultural activities of a sufficiently wide range and variety, including gymnastics, indoor and outdoor games, open-air theatres (wherever possible), a film-library service, radio, recorded music, group singing, folk dances, dramatic societies, arts and handicrafts, newspapers, periodicals and library service.

(xvii) Remission System : Remission system should be simplified and brought on a uniform basis. Confirmed habitual

offenders should be kept out of circulation for longer periods than others, in the interest of protection to society ; remission should be granted only to those habituals who have shown sufficient improvement.

(xviii) Leave and Emergency Release : Prisoners sentenced to three years or more should be eligible for release on leave, except habituals (including "security" prisoners), dangerous prisoners, convicts for certain grave offences and prisoners in special (disciplinary) jails. Conditions for such release should be laid down according to local circumstances in each state. Each case should be screened on the basis of conduct, work, improvement, attitude to family and community and the manner in which previous leave was utilized ; and prisoners so released should be under the supervision of probation or after-care officers. On return, they should be interviewed in order to evaluate the effects of release.

(xix) Inmate Discipline : In a correctional institution discipline should be based neither on a system of repressive punishments nor on a soft policy of appeasement ; but should be positive, constructive and yet firm.

(xx) Review of Sentences : Cases must be reviewed after prisoners undergo imprisonment inclusive of remissions for (a)  $\frac{2}{3}$  of the term of sentence, for habituals and male adults and (b)  $\frac{1}{2}$  of the sentence, for non-habitual women and adolescents and for the old and infirm, (life sentence being reckoned as 20 years). Cases of women who committed crime under social pressure *e.g.*, infanticide should be reviewed on admission. A general policy for guidance of Review Boards should be framed by state governments.

(xxi) Pre-release Preparation and Release : Pre-release preparation and release planning should be treated as an essential part of correctional work.

(xxii) After-care and Rehabilitation : State after-care organization (with branches in each district, city and other localities), comprising IG of Prisons, directors of social welfare, education, industries, agriculture, a senior officer from police administration, social workers, businessmen and representatives of local branches should be financed through grants by state government, Central Social Welfare Board and public donations.

After-care problems should be tackled with regard to the whole social situation of an individual and should be phased as (a) planning while under care and treatment, (b) assistance

at the time of release and (c) later care and help. Follow-up reports for periods ranging from 1 to 5 years as required should be sent to the correctional institution and headquarters office.

(xxiii) Under-trial Prisoners : Separate institutions for under-trials with adequate segregation and security facilities should be located near the courts. Amongst under-trials, habituals, women and adolescents should be segregated. Those suspected to be of unsound mind should be sent to the mental hospital or psychiatric annexe of the civil hospital, under orders of court. They should not be detained in prison unduly long, and additional courts should be established, where required, for quick disposal of cases. Convicts should not have disciplinary or other control over under-trials.

(xxiv) Women Offenders : Where the daily average exceeds 50, there should be a separate jail for women ; otherwise, there should be completely detached annexes. Habituals and prostitutes, brothel-keepers, etc., should be completely segregated from other women. Possibilities of release of certain categories of women offenders on probation, keeping them in State Homes, *Mahila Ashrams*, etc. should be considered on a more extensive scale than at present.

(xxv) Delinquent Children and Adolescent Offenders : Children and youths are national assets and it is the paramount duty of a welfare state to extend all possible help, protection and guidance to them. Government and voluntary social service agencies should make concerted efforts to control juvenile delinquency and adolescent crime ; preventive measures in the family, school and community should be stressed. Children Act and Borstal Act should be adopted in all states ; remand homes, juvenile courts and certified schools should be established, particularly in large industrial cities. State police should have a juvenile bureau. Children should never be kept in police lock-ups. Juveniles should be sent to Attendance Centres instead of jails for minor offences ; and probation should be more extensively resorted to. There should be legislation for adolescent offenders. Adolescents should be kept in separate institutions/annexes, where the major emphasis should be on training and treatment. Adolescents sentenced to six months or more should be observed and classified in reception centres/units initially. If possible, semi-open and open training institutions should also be set up for impressionable groups.

(xxvi) Life Convicts : There should be basic uniformity in the country regarding the execution of life sentences, review

of cases and treatment of life-convicts. Special attention should be devoted to their peculiar problems. In order to understand the motivations of their criminal behaviour, to save them from getting "prisonised" and steeped in criminal sub-culture, and to keep alive their interest and hope in life, a social and psychological study should be undertaken; the treatment programme should be balanced, consisting of diversified education, work, vocational training, imparting multiple skills, recreational and cultural activities, training in self-discipline and in responsible community living; and the convict's interest in his family should be kept up. The Classification Committee should examine cases of life convicts on the completion of five years of imprisonment; and suitable persons should be selected for transfer to semi-open and ultimately to open institutions; these may be allowed, again on a selective basis, to live with their families for one week every six months, in huts put up just outside these institutions.

(xxvii) Habitual Offenders : A proper system of registration and central indexing should be developed. There should be statutory provision for pre-sentence social investigation of cases. Classification of habitual offenders should be made ordinarily by courts, and where necessary by the inspector-general of prisons. On the basis of social and psychological study at reception units, habitual offenders should be sorted out into two categories viz., (a) those who are not deeply involved in crime and show hopes of social adjustability and (b) hardened and persistent criminals. Separate institutions should be earmarked for these two categories. The former should be given a careful and thorough treatment including attention guidance and counselling, weaning them away from undesirable influence and, where necessary, psychological/psychotherapeutic treatment. The latter should be kept out of circulation from society as long as permissible under the law with whatever corrective measures and opportunities for improvement and education may be practicable. Advance planning of after-care help is specially required for habitual offenders.

(xxviii) Simple Imprisonment : This should be abolished, as idleness is a corrosive influence.

(xxix) Civil Prisoners : Civil prisoners should be kept in civil jails and not in prisons meant for criminal prisoners.

(xxx) Lunatics : A prison is not the place for any kind of lunatics. Alleged criminal and non-criminal lunatics should be sent for observation to psychiatric annexes of district hospi-

**tals.** Lunatics should be diverted from prisons to mental hospital for treatment and care.

**(xxxi) Prisoners Suffering from Mental Disorders :** A unit for observation and treatment of mental cases should be established in a separate wing of a central prison with services of psychiatrists, psychologists, etc. Where practicable, a separate institution should be earmarked.

**(xxxii) Special Prison for Difficult Discipline Cases :** In the interest of discipline and morale in correctional institutions, the difficult inmates (violent, aggressive or instigators) should be segregated in a small special prison, with selected staff capable of handling difficult situations.

**(xxxiii) Sub-Jails :** The administration of sub-jails and judicial lock-ups varies most widely from state to state, and needs to be improved and reorganized immediately in many of the states. They should all be under the inspector-general of prison. They should be classified as sub-jails class 'A' or class 'B' according to the daily average population *i.e.*, 30 or not more than 30. The functions of superintendent of sub-jail class 'A' should be vested in an experienced assistant superintendent of prisons and that of class 'B' in an executive magistrate or (in his absence) an officer appointed by government. The local hospital officer should function as part-time medical officer and should pay a daily visit. Guarding duty should vest in prison staff and not police. Women guards should be available (minimum two) when there are women prisoners in a sub-jail. Buildings should be independent of police control and be self-contained units with minimum standards for accommodation, water supply, sanitation, etc. Employment and other activities and facilities should be provided. There should be a Board of Visitors and regular departmental inspections. Each state should also frame a detailed sub-jail manual ; and prepare plans for reorganization within the next 5 years. Police lock-ups (being the initial points of impact of the offenders) should also be improved suitably, in respect of minimum standards of accommodation, sanitation, medical attention, newspapers and books, inspection, Board of Visitors, etc.

**(xxxiv) Open Institutions :** Open work-camps, semi-open and open training institutions and open colonies will be useful in lessening over-crowding in the central and district jails (which can devote full attention to correctional programme), saving short-termers from initiation to prison life, providing better employment to the latter, and adjusting inmates to con-

ditions of living in free community. Open institutions should be started where local conditions are favourable and necessary staff organized. Minimum standards as for closed institutions should be followed. Security arrangements should be established to minimize risks of escape and to maintain a sense of safety in the neighbouring community. Non-habitual offenders sentenced for one year or less should be screened and sent to open work-camps, while those sentenced to longer period should be sent first to semi-open and then to open institutions and open colonies on a selective basis after careful study. Emphasis should be on agricultural and nation-building projects, and any possible industries. Programmes of education vocational training, cultural activities etc. should be organized.

(xxxv) Planning of Correctional Administration : Each state should set up a planning unit of senior correctional administrators and experts in criminology, with inspector-general of prisons as chairman, to prepare a plan for development of the correctional department covering its needs for 10 years.

(xxxvi) Five-Year Plan : Correctional administration as an integral part of social defence should be given due consideration in the Five-Year Plans.

It is against the background of these recommendations that prison reforms are being introduced and prison administration is being streamlined in various states in India. In Maharashtra the jail manual has been revised on the basis of the recommendations of the All India Jail Manual Committee. In other states the jail manuals are at different stages of revision.

**Central Bureau of Correctional Services :** As a sequel to the recommendations of the All India Jail Manual Committee, the Central Bureau of Correctional Services was set up by the Government of India in 1961. The main functions of this Bureau are

- (i) to standardize the collection, on a national basis, of statistics relating to crime, jail, probation and other correctional work in the different states in India ;
- (ii) to coordinate the work and develop a uniform policy of prevention of crime and treatment of offenders ;
- (iii) to exchange information in regard to crime, prevention and correctional services between the states and provide technical knowledge and assistance and other information either generally or on specific programme;
- (iv) to exchange information, where necessary, between India and foreign governments and with the United Nations

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• **Organisation ;**

- (v) to promote research and staff training and to undertake studies, surveys and any required research and experimentation in the field ; and
- (vi) to disseminate information and stimulate interest by publication of bulletins, etc., on the subject.

**Central Advisory Board on Correctional Services :** In 1969 a Central Advisory Board on Correctional Services, comprising social scientists and correctional administrators, was set up by the Ministry of Social Welfare, Government of India. The objectives of this Board are

- (i) to advise the central and the state governments on matters of policy in providing correctional services;
- (ii) to help the central and state governments to effectively develop the programme of correctional services throughout the country and to fill up gaps that exist at present in different areas of services ;
- (iii) to advise on matters relating to the social aspects of prevention, control and treatment of delinquency and crime;
- (iv) to suggest measures for improving levels of coordination between administration of justice, police administration and correctional administration; and
- (v) to suggest ways and means of creating social consciousness for the rehabilitation of offenders.

**National Institute of Social Defence :** In 1974 the Central Bureau of Correctional Services was converted into National Institute of Social Defence. This is a major landmark in the field of social defence, as various aspects of social defence are now being dealt with through this Institute.

The National Institute of Social Defence reviews the implementation of the recommendations of the All India Jail Manual Committee and it has been the endeavour of this Institute to ensure that the recommendations about prison reforms are properly implemented and prison administration is streamlined on proper lines by the various states.

**Working Group on Prisons :** In 1972, Government of India constituted a Working Group to examine measures for streamlining and improving prison administration and conditions of living in prisons. This Working Group submitted its report to Government of India in 1973. This document contains the latest thinking regarding development of prisons in India. This Working Group has made recommendations on the following points :

- (i) Need of developing a national policy on prisons.
- (ii) Alternatives to imprisonment.
- (iii) Legislation affecting prisons.
- (iv) Departmental organization and coordination.
- (v) Internal administration in prisons.
- (vi) Recruitment and training of prison personnel.
- (vii) Service conditions of prison personnel.
- (viii) Classification of prisoners and diversification of institutions.
- (ix) Treatment services and work programmes in prisons.
- (x) Review of sentence, premature release and aftercare.
- (xi) Prison architecture and buildings.
- (xii) Order of priorities for prison development schemes.

**Prison Administration in the Plan Sector :** A working group was set up by the Planning Commission for preparing schemes in the field of Social Defence for being incorporated in the Fourth Five-Year Plan. This Working Group had recommended the inclusion of prison administration in the Plan. Another working group recommended the inclusion of prison administration as a development programme in the Fifth Five-Year Plan. Correctional administrators felt that unless prison administration is included in the plan sector, prison reforms and streamlining of prison administration will not make further headway, as the principal difficulties in this regard have been (i) paucity of funds and (ii) low priority for development of prison programmes. It is understood that in Maharashtra and some other states prison administration has been included in the plan sector. This is indeed a good augury. It is hoped that once Prison administration is included in the plan sector as a developmental programme, prison administration can be speedily streamlined and various prison reforms which could not be implemented so far in full measure will get implemented with greater force and vigour.

## B. CURRENT TRENDS

**Humanization of Prison Administration :** A review of the impact of these endeavours reveals that certain aspects of prison administration such as health and hygiene, sanitation, food, labour, conditions of living in prisons, essential services, amenities and facilities to prisoners, etc., have been common factors about which the various committees have made recommendations. Through the initiative taken by the Government of India and different state governments, conditions of living in prisons have, no doubt, improved. Health services in prisons have been well established. Sanitation has improved. Various improve-



ments in prison dietary have been effected from time to time. Essential services have been established. Care and welfare services have been set up. During the last two or three decades, the main emphasis of prison reforms has been on the elimination of inhuman and repressive measures that were prevalent in Indian prisons in earlier times. Facilities such as canteen, leave, parcel, wages, letters and interviews, remission, books, newspapers, periodicals, recreational and cultural activities, etc., have been afforded to prisoners. Grant of these facilities and amenities has no doubt humanized to a great extent conditions of living in the Indian prisons. Humanization of prisons has created an atmosphere in prisons where social implementation of wholesome values and attitudes, social re-educational projects and other reformatory and rehabilitative processes can be attempted on a rational basis.

**Organization of Prison Administration :** At the state level prison administration functions under the Home Department. The Prison Department is headed by the inspector-general of prisons who is assisted in some states by deputy inspectors-general. Prison superintendents are in charge of district and central prisons. The organizational pattern of the Prison Department differs from state to state depending upon local conditions. The All India Jail Manual Committee has given guidelines for bringing some basic uniformity in the organization of Prison Departments in India.

The post of inspector-general of prisons is filled in by an officer of the Indian Administrative Service or the Indian Police Service or by promotion from amongst the senior officers of the Prison Department. The All India Jail Manual Committee has recommended: "In filling the post of Inspector General, special care should be taken that only persons with sufficient knowledge and suitable experience shall be considered. If a suitable departmental officer is available, he should be given preference." This committee has further observed that "there has to be fundamental continuity in programmes of prevention and control of delinquency and crime and in other correctional fields. It is, therefore, essential that prevention, control and treatment of delinquency and crime and aftercare service should be treated as components of a unified programme of social defence. The juvenile delinquency, probation and aftercare service should, therefore, be co-ordinated."

Prison administration in India is at present in a process of reorganization. In large states the trend is to decentralize prison administration at the regional level. The recommendations of the All India Jail Manual Committee in regard to organizational matters are perceptibly having an impact on the process of reorganization of the various branches of social defence. It is hoped that in the years to come the diffe-

rent branches of social defence will be integrated and a unified organizational pattern will evolve.

**Taluk Sub-jails, District Prisons and Central Prisons :** Taluk sub-jails form the base of the organization of prison administration. District prisons and central prisons are located in district places and large cities. In taluk sub-jails undertrial prisoners and prisoners sentenced to very short terms of imprisonment are kept. In district prisons and central prisons undertrial prisoners, prisoners sentenced to short, medium and long terms of imprisonment are kept.

During the last few decades more attention is being paid to the improvement of conditions of living in the taluk sub-jails. In certain states like Maharashtra, special arrangements have been made for frequent and thorough inspection of taluk sub-jails. It has been recognized that improvement of taluk sub-jails is an important element of prison reforms all over India. The All India Jail Manual Committee has laid special emphasis on this point.

**Prison Personnel :** (i) Selection : The concept regarding the duties, responsibilities and functions of correctional personnel has undergone fundamental changes. In the new context of things, correctional personnel are expected to assist the offender in the process of his social re-education and resettlement in society. A correctional worker is expected to believe in the operational theory of behaviour which has to be synchronized with the philosophy, procedures and practices of correctional work. He must have implicit faith in the improvability and salvage value of human beings. The All India Jail Manual Committee has stressed the necessity of careful selection of correctional personnel. During recent times, more attention is being paid to this aspect of prison administration. Methods of selecting prison personnel have improved. Trained social workers are being inducted in prison service. Likewise, graduates in social sciences are being recruited as prison officers. More attention is being paid to the selection of prison guards and other prison personnel.

(ii) Training : The Indian Jails Committee (1919-20) and the All India Jail Manual Committee (1957-59) have stressed the need of training of prison personnel. It is now recognized that correctional work is specialized work. The Tata Institute of Social Sciences, Bombay, and the Jail Training School, Lucknow, have done pioneering work in respect of training of prison personnel. Reference has been made earlier to the contribution made by J. M. Kumarappa and W.C. Reckless in the field of training of prison personnel. In 1951-52 a corps of trained senior prison administrators was developed through the farsighted policy of Government of India and through the efforts of Kumarappa and Reckless. In 1955 Maharashtra state set up the Jail

Officers Training School at Yeravada, Poona. A proposal for setting up a Training School in the southern part of India is under consideration. At the Jail Training School, Lucknow, and the Jail Officers Training School, Yeravada, Poona, prison officers from various states are imparted training in social sciences and techniques of social work. The Tata Institute of Social Sciences, Bombay, has set up a Department of Criminology and Correctional Administration. Likewise, training programmes for correctional workers have been set up by some schools of social work. Similarly, training programmes for prison guards have been organized in many states. From these trends it would be discernible that attempts are being made to develop cadres of prison personnel who will be oriented to the new prison policy. Through these measures a new consciousness regarding operational aspects of correctional work will be developed amongst the personnel concerned.

(c) Service conditions : The question of improving service conditions of prison personnel has been examined by various committees. The matter has also been discussed in various correctional conferences held at the national level. The All India Jail Manual Committee (1957-59) has emphasized the need of improving service conditions of prison personnel. This committee stated that expenditure on service conditions, staff welfare, personnel training, etc., should be treated as development and welfare expenditure. It is observed that the service conditions of prison personnel are improving. Through the measures such as careful selection and training of prison personnel and improvement of service conditions, prison service is perceptibly becoming a career service. It is also getting a professional base. All these measures will go a long way in the development of prisons as centres of correctional treatment and also in the implementation of prison reforms in the proper spirit.

**Diversification of Institutions :** One of the basic essential pre-requisites for an effective correctional system is an infra-structure of diversified institutions. This subject has been dealt with by various committees. The All India Jail Manual Committee, however, has made specific recommendations as to how to diversify Indian prisons. An extract from the report of this committee is quoted below :

“There appears to be some vagueness about the significance and meaning of diversification of institutions. We would, therefore, at this stage, like to clarify this point. By diversification of institutions we mean a network of institutions where inmates can be segregated on the basis of sex, age, criminal record, the legal reason for their detention, length of their sentence, recidivism, physical or mental health, requirements of security, needs of training and treatment, etc. Through diversification of institutions, inmates of

various categories will not only be segregated but properly designed programmes and suitable resources can be made available for carefully selected homogeneous groups of inmates. In such diversified institutions the re-education and re-processing of the offenders will receive major emphasis. It is on this basis that provision for a network of diversified institutions has been made in the draft manual. The broad categories of diversified institutions included in the draft manual are :

- (i) Institutions for delinquent children.
- (ii) Institutions for adolescent offenders.
- (iii) Institutions for non-habitual adult offenders.
- (iv) Institutions for habitual, professional and organized criminals.
- (v) Special institutions for difficult discipline cases.
- (vi) Annexes or institutions for women offenders.
- (vii) Units for inmates suffering from mental disorders.
- (viii) Units for old infirm inmates.
- (ix) Leprosy units.
- (x) T B units.
- (xi) Annexes or institutions for under-trial prisoners.
- (xii) Sub-jails.
- (xiii) Open institutions.

A network of diversified institutions is at present emerging in Indian prisons. In Maharashtra a system of diversified institutions has been partially set up. In other states, some efforts are being made in this regard. It is hoped that with the availability of more finance, a system of diversified institutions as recommended by the All India Jail Manual Committee will become a concrete proposition. It is also felt that through diversification of institutions, a sound foundation for the development of correctional work on scientific lines will be laid.

**Classification of Prisoners :** The All India Jail Manual Committee (1957-59) has given a new direction to the oft-discussed question of classification of prisoners. An extract from the Committee's report is quoted below :

"Classification is a method by which study of the offender, understanding of his problems, treatment planning, execution of treatment programme and adjusting and changing the treatment according to requirements are coordinated in an individual case. It is a method by which the treatment programme is adjusted to the inmate's changing needs. Classification procedure does not end with initial study and planning of programmes. It has to be a dynamic process, ope-

rating right from the admission of the inmate till his release. It has to pervade the entire institutional activity.

"Classification of prisoners should be made on the basis of age, physical and mental health, length of sentence, degree of criminality and character. So also factors like sequence of an offender's criminal behaviour, his social processing, his sophistication in crime, possibilities of contamination, requirements of gradations in custody, educational and vocational training needs, urban and rural backgrounds, possibilities of social adjustment and rehabilitation needs, etc., should be taken into consideration. Our view is that classification of prisoners should become a dynamic operation from admission till release. It is only through the development of such classification procedure that the reformation and rehabilitation of the inmates can be attempted in correctional institutions."

The new concept regarding classification of prisoners as projected by the All India Jail Manual Committee has been a major advance from the point of view of scientific handling of prison problems. The main objective of this new approach is the individualization of training and treatment through scientific classification of prisoners and diversification of institutions. Unless the procedure of classification of prisoners on scientific basis is adopted, correctional training and treatment programmes will not have much impact, from the point of view of social re-education of offenders. For the achievement of the main objectives of punishment *i.e.* reformation, rehabilitation and social readjustment of prisoners, it is necessary to develop balanced training and treatment programmes as would be suitable to homogeneous groups of prisoners. In West Bengal pioneering work in regard to individualization of training and treatment has been done. In the revised *Jail Manual* of Maharashtra, provision for classification of prisoners on scientific basis has been made. Trained staff for this purpose has also been appointed.

**Discipline :** There have been two schools of thought regarding prison discipline. One school believed in repressive and harsh discipline. This school prevailed in the pre-independence era. The other school believes in positive and constructive discipline. After independence the concept of prison discipline has undergone a basic change. The *Model Prison Manual* has embodied this new concept of discipline as follows:

"Discipline is the basic foundation of correctional work. Discipline should not be retributive, unnecessarily harsh or repressive. The main emphasis should be on the re-education of the offender in terms of his interests, attitudes, habits and motivations.

**"Discipline and order shall be maintained with firmness but with no more restrictions than required for safe custody and well-ordered community life. The tone of discipline should be adjusted to the requirements of each individual inmate. Punishments should be balanced in relation to the gravity of the violation.**

**"Institutional discipline is the cumulative responsibility of all institutional staff members. The tone of staff discipline and morale will get reflected in the handling of inmate discipline. Discipline can be accomplished by the programme as a whole. Good morale should be the sound basis for discipline.**

It is recognized that the range of institutional discipline has to be wide. Prison discipline aims at re-educating prisoners in the following areas *viz.*,

- (i) discipline of health, (ii) discipline of work, (iii) discipline of behaviour, (iv) discipline of education and (v) discipline of interests.

Brutality, sadism and repressive measures do not find a place in the new concept of prison discipline. In the training schools for prison personnel the concept of diversified, positive and constructive discipline is constantly stressed. A new humanism prevails in every aspect of institutional discipline. More stress is now laid on adopting measures for prevention of indiscipline and on the development of a system of positive, constructive and firm discipline in prisons.

**Work and Employment :** Providing adequate employment and meaningful work to inmates of different categories has been one of the principal problems for prison administration. The Indian Jails Committee, 1919-20, and the various Jail Reforms Committees of different states have discussed this question in detail. Over-crowding, large concentration of under-trial prisoners, simple imprisonment and short term imprisonment have been the major handicaps in this field. Various measures to combat these difficulties are being adopted by the prison administration in India.

In the guiding principles regarding work, contained in the *Model Prison Manual*, it has been stated "work is not to be conceived as additional punishment but as a means of furthering the rehabilitation of prisoners, through training for work, formation of better work habits and of preventing idleness and disorder. . . . . Work should not become drudgery and a meaningless prison activity. Work and training programmes should be treated as important avenues of imparting useful values to inmates for their vocational and social adjustment and also for their ultimate rehabilitation in the free commu-

nity....."

This new concept regarding prison work is the foundation of the new perspective towards work programmes in prisons. In 1955-56, in Uttar Pradesh a Jail Industries Enquiry Committee was set up. Similarly, in 1959-60 in Maharashtra a Jail Industries Reorganization Committee was appointed. Reports of these committees are quite comprehensive and various aspects of prison labour, work and employment have been discussed in great detail in these reports. As a consequence of the recommendations of the various committees, prison agriculture and prison industries have been reorganized in many states. Likewise, in some states like Maharashtra, Gujarat, Tamil Nadu, Andhra Pradesh, Uttar Pradesh and Bihar prison industries have been mechanized. Modern equipment and workshops are being established in some prisons. The main approach in this respect has been a wholesome blending of handicrafts, and cottage industries, combined with opportunities for training in modern methods of production. As stated earlier, prison administration in Maharashtra and also in some states has been included in the plan sector. It is hoped that if this approach is accepted by the Planning Commission and other states, prison industries may get adequate finance for being invested in the further reorganization and modernization of prison industries.

Prison agriculture forms an important element of prison industries. In many states sizeable prison farms have been developed. Prison agriculture has been reorganized and modernized in some states. These trends are discernible in Uttar Pradesh, Maharashtra, Tamil Nadu, Andhra Pradesh and also in other states. Especially in states where open prisons have been established, agriculture is receiving a lot of attention.

Prison administration in India has been endeavouring to integrate prison industries and prison agriculture with the State and national economic policies and development plans in terms of increased national production and vocational training of inmates.

**Education :** The All India Jail Manual Committee has recognized that "diversified education is the principal channel of correctional treatment". Discussing education, this committee has stated that "education is a harmonious and all round growth and development of human facilities, mental and physical. It is a process by which the knowledge, character and behaviour of the inmates can be moulded. Education is preparation for social life. It is an acquisition of such knowledge and skills as would be helpful to an inmate in his rehabilitation in society. Education is adjustment to social environment. It is a process by which inmates can be helped in their ultimate resettlement in society. Education is character-building".

Programmes of adult literacy have been launched in prisons in various states. In some states, especially for adolescent offenders, special programmes of education have been set up. Development of diversified educational programmes in prisons will facilitate the adoption of the techniques of social implantation in an effective manner. This is an area where prison administration will have to make definite advance in the interest of development of balanced training and treatment programmes in prisons. The future development so far as educational programme is concerned lies in the field of setting up of diversified educational programmes in terms of physical and health education, academic education, social education, vocational education and cultural and moral education.

**Vocational Training :** Vocational training and vocational guidance are essential features of the process of the offender's rehabilitation. The All India Jail Manual Committee has observed that "the ultimate aim of all institutional training is the inmate's final resettlement in society. Vocational adjustment is, therefore, an important aspect of the rehabilitative process."

In the *Model Prison Manual* provision for apprenticeship training, on-the-job training and vocational training has been made. Prison industries, agriculture, dairy, poultry, essential services in the institution, maintenance unit, etc., offer possibilities for the organization of on-the-job training and vocational training programmes. In some states, in institutions and sections meant for adolescent offenders and in Borstal schools programmes of vocational training have been organized. Programmes of multiple vocational training have specialized significance for prisoners undergoing longer life imprisonment. Multiple training opportunities help the inmate to maintain his interest in the work projects. In the years to come prison administration has to develop in the field of vocational training.

**Cultural and Recreational Activities :** The All India Jail Manual Committee, discussing cultural and recreational activities in prisons, has observed :

"Cultural programmes and recreational activities are essential components of the correctional approach. These activities aim at breaking the tedium and boredom of institutional regimentation and bringing in an atmosphere of relaxation and joy in the institution. These activities should offer opportunities to inmates for : (a) restoration of energies (b) outlets in socially accepted ways (c) establishing helpful social relations (d) aesthetic pursuits and cultural development (e) channelizing surplus energies in a constructive manner."



In the *Model Prison Manual*, various possibilities through which cultural and recreational activities can be organized in prisons have been indicated. Recreational and cultural activities such as games, films, music, folk-dances, dramas, arts and crafts, library service, etc., have been organized in Indian prisons. These activities have been helpful in humanizing the corrosive atmosphere in prisons. They also bring some joy in the depressing atmosphere of a prison.

**Medical Aspects :** Prison administration in India has established sound traditions of good medical attention and care of prisoners. In earlier times officers of Indian Medical Service were incharge of prisons and this has been mainly responsible for the establishment of good standards of sanitation, health, hygiene and medical care in Indian prisons. The main responsibility of medical administration in prisons is to maintain and restore physical and mental health of prisoners and to maintain general sanitation and hygiene of prisons in a satisfactory manner.

Personnel of the Health Department of the state are deputed to prison administration to look after medical aspects of prison management. Para-medical staff is appointed by the Prison Department. In central prisons and in district prisons hospitals have been established. These hospitals are under the control of full time chief medical officers assisted by medical officers and other staff. Separate sections for treatment of prisoners suffering from TB, leprosy, etc., have been established in prisons. In Maharashtra a hospital prison has been set up in Bombay. Special medical wards for prisoners have been established in civil hospitals. Prisoners suffering from serious illness or who require specialized medical treatment are admitted in the special wards attached to government hospitals. In the *Model Prison Manual* detailed provisions regarding the functions and duties of medical personnel and management of prison hospitals have been embodied with a view to bringing a basic uniformity in medical aspects of prison administration.

Prisoners suffering from mental illness are referred to psychiatric departments attached to government hospitals and they are given necessary treatment. In some states, units for prisoners showing signs of mental illness have been set up in large central prisons.

**After-care and Rehabilitation :** The question of after-care of released prisoners has been discussed by various committees. The All India Jail Manual Committee has laid special emphasis on this aspect of welfare of prisoners. This Committee has observed :

“After-care service is based on an approach of help, service, guidance, counselling, support and protection. It is a helping process. It is a service programme and a con-

structive vigilance over a particular condition of the individual which had handicapped him. After-care is the released prisoner's convalescence. It is the process which carries him from artificial and restricted environment of institutional custody, to satisfactory citizenship, resettlement and to ultimate rehabilitation in the free community. After-care is the vital termination of a programme of care and treatment. Institutional training, treatment and post-release assistance is a continuous process. After-care service, therefore, forms an integral part of correctional work. A well-organized after-care service is an essential requisite in the correctional field."

The popular lay concept has been that after-care commences after the prisoner's release from the prison. However, in the *Model Prison Manual*, a new concept has been embodied. The following provision has been made in this manual about after-care :

"After-care work should broadly be phased as follows : (a) While the individual is under institutional care and treatment, (b) Immediately after release from his institution, (c) Post-release period."

From the above it will be seen that after-care has to be a component of institutional care and treatment. This is a new dimension of after-care work and this has to be closely dovetailed with scientific classification of prisoners and casework service. Before independence these facilities were not granted to prisoners.

Release on leave and for reasons of emergency are good incentives to prisoners for maintaining discipline while in the institution and for social readjustment after final release. These facilities are considered as important items of prison reforms of the post-independence era. Correctional administrators appreciate the fact that grant of these facilities has improved prison discipline and morale to a great extent.

**Remission :** The facility of remission in sentences is another incentive to prisoners. Remission is granted to prisoners for various reasons such as good behaviour, good work, efforts for self-improvement, etc. Remission is classified into three broad categories *i.e.* ordinary remission, special remission and state remission. *The Model Prison Manual* lays down principles on the basis of which a broad uniformity can be brought about in the remission system in Indian prisons. The grant of remission is related to the inmate's response to institutional discipline and programme.

In different states the quantum of remission differs. With the revision of the state jail manuals a basic uniformity in this procedure

will be achieved.

The All India Jail Manual Committee recommended that there should be a State After-care Association in each state and further that this organization should be financed by the state government, the Central Social Welfare Board and public donations. After-care services have been established in West-Bengal, Uttar Pradesh, Tamil Nadu, Kerala, Maharashtra, Madhya Pradesh, Andhra Pradesh and in other states, besides the Union Territory of Delhi.

**Leave and Emergency Release :** The facility of releasing certain categories of prisoners on leave and for emergency purpose has been extended to prisoners in many states. There is, however, diversity in the procedures and terminology that is used in this respect. According to the All India Jail Manual Committee the objects of releasing an inmate on leave are

- (i) "to enable the inmate to maintain continuity with his family life and economic matters ;
- (ii) to save the inmate from getting institutionalized ;
- (iii) to enable the inmate to maintain and develop his sense of self-confidence and to maintain constructive hope and active interests in life."

The objects of leave on emergency grounds are

- (i) "to facilitate the inmate's presence in his family during periods of grave emergencies like death or serious sickness of father/mother/brother/sister/spouse/children;
- (ii) to facilitate specialized treatment in diseases like tuberculosis, cancer, etc.;
- (iii) to facilitate the appearance of carefully selected prisoners at school/college/technical examinations".

**Review of Sentences :** Cases of adult and adolescent offenders are reviewed by advisory boards and special advisory boards in different states in India. Procedures and eligibility for review of sentences differ from state to state. Discussing this question, the All India Jail Manual Committee has observed : "Correctional treatment has its own limitations. For example, the concept of training a life convict for fifteen or twenty years presents many practical difficulties. Once the long term offender has got the maximum benefit out of institutional training and treatment programmes, his hope in life during the remaining part of his imprisonment has to be kept alive through a well regulated system of incentives.....Through scientific review of sentences of long term prisoners, they can be saved from getting prisonised or coming to dead-ends. The treatment of offenders has to emphasize not their exclusion from the society but their continuing

part in it. If, therefore, the review procedure has to achieve its ultimate objectives, it must be based on scientific lines and it must be entrusted to persons having professional knowledge and first hand experience in the correctional field". In the *Model Prison Manual*, provisions for review of sentences of different categories of prisoners have been included. In Maharashtra, where the jail manual has been revised on the basis of the recommendations of the All India Jail Manual Committee, review of sentences has been streamlined. So also in some other states, where the jail manuals are in the process of revision, the question of revising the procedures pertaining to review of sentences is receiving attention.

**Probation :** Release on probation on a selective basis and treatment in the open have been recognized as important alternatives to imprisonment. Uttar Pradesh had given a lead in this field. In Maharashtra, Tamil Nadu, Andhra Pradesh and some other states an infrastructure for probation has been set up. It must, however, be stated that the approach of probation as an alternative to imprisonment has yet to be accepted in many states. It is, however, being increasingly realized that the use of probation on a selective basis can offer some practical solutions to many problems which prison administration is required to face.

**Under-trial Prisoners :** Under-trial prisoners are kept in taluk sub-jails, district prisons and central prisons. In some states separate yards have been earmarked for under-trial prisoners in district and central prisons. In a number of states the population of under-trial prisoners is increasing. However, it is felt that with the review of the Indian Penal Code the number of under-trial prisoners in Indian prisons will be reduced.

The All India Jail Manual Committee (1957-59) and the Working Group on Prisons (1972-73) have strongly recommended separation of under-trial prisoners from convicts. This would become possible with the setting up of separate institutions for under-trial prisoners. The *Model Prison Manual* has made provision for a balanced institutional programme for under-trial prisoners. The main elements of this programme are : (i) Work on voluntary basis, (ii) education, (iii) library facilities, and (iv) suitable recreational programmes. Through the setting up of such a programme the problem of idleness of under-trial prisoners can be tackled to some extent.

**Women Offenders :** In some states like Uttar Pradesh, Maharashtra, Tamil Nadu, Rajasthan, Bihar, etc., separate institutions for women offenders have been set up. But most of the women offenders are kept in separate sections or annexes of district and central prisons. The question of women offenders has been discussed by various Jail

**Reforms Committees.** The All India Jail Manual Committee (1957-59) has also dealt with this problem. This Committee has recommended that completely detached annexes on the pattern of the Nari Bandi Niketan attached to the Model Prison at Lucknow should be attached to every district and central prison. This committee has also strongly recommended that separate institutions for women offenders should be established. Creches for children of women offenders have been set up in prisons in many states. A balanced training and treatment programme for women offenders consists of : (i) diversified educational projects, (ii) vocational training, (iii) training in nursing and domestic sciences, and (iv) recreational and cultural activities.

During the pre-independence era programmes for women offenders were very limited. However, after independence the problems of women offenders have received considerable attention and various reforms have been introduced for the care, welfare and social readjustment of women prisoners.

**Young Adult Offenders :** Young adult offenders are kept in Borstal Schools. Nine Borstal schools have been set up in different states. In some states special institutions have been set up for young adult offenders. Most of the young adult offenders are, however, kept in separate sections attached to district and central prisons. The population of young adult offenders in district and central prisons is quite sizeable. Programmes consisting of education, work, vocational and technical training and recreational activities have been organized for this group of offenders. The *Model Prison Manual* has stressed that emphasis should be given on the following factors while planning training and treatment for young adult offenders : "Individual study, careful planning of training and treatment programmes to suit the needs of each individual inmate ; education ; work and vocational training ; recreational and cultural activities ; group guidance ; individual guidance and counselling ; character training ; personal influence of staff members ; periodical review ; release planning ; pre-release preparation ; after-care on a comprehensive basis ; follow-up study."

The All India Jail Manual Committee has stressed the need of setting up of training institutions for young adult offenders. The Central Advisory Board on correctional services has been deliberating over a draft Young Adult Offenders Bill which provides for a comprehensive system of diversified institutions and also for diversified training and treatment programme for young adult offenders. The group of young adult offenders is an impressionable group which offers good prognosis for social readjustment and rehabilitation. This is an area where progressive prison administration in India will have to make further advances in the near future.

**Life Convicts :** Life convicts present peculiar problems for prison administration. A life convict is incarcerated for a long period in the prison. His security and custody need special attention. He has to be saved from contamination and also from getting prisonized. A suitable work, educational and training programme has to be designed for him. During periods of long imprisonment his interest in his family and community has to be maintained. His hope for his future life has to be kept alive. The peak point of institutional impacts on the life convict has to be judged and he has to be released at the appropriate time. The *Model Prison Manual* has made various provisions in this regard with a view to bringing a broad uniformity in the handling of problems of life convicts in different states in the country.

**Habitual Offenders :** The problem of habitual offenders is one of the most difficult problems which prison administration has to deal with. This has been a persistent and chronic problem. Different procedures about segregation, remission, review of sentence, of habitual offenders, etc., are followed in different states. *The Model Prison Manual* has tried to bring a broad uniformity in all these matters. In this manual provision has been made regarding classification, initial admission, study, grouping for the purpose of training and treatment, institutions for habitual offenders who have good prognosis for social readjustment and rehabilitation, institutions for hardened and persistent offenders, stage system and aftercare of released habitual offenders.

A basic classification of habitual offenders has been recommended by the All India Jail Manual Committee (1957-59) as follows :

- “(a) habitual offenders who have still not gone deep into a life of vice and criminality and who show some hopes of being realigned to a socially adjusted way of life.
- (b) habitual offenders who show signs of deep involvement in criminal activity and who have become hardened and persistent offenders.”

This is a new line of thinking in this field.

Habitual offenders are kept in separate sections of district and central prisons. There are many practical difficulties in the segregation of habitual offenders. The need of having separate institutions for habitual offenders has, therefore, been stressed. Current thinking in this field is that there should be separate institutions for the two categories of habitual offenders as indicated above.

The All India Jail Manual Committee (1957-59) has recommended that a stage system be introduced for habitual offenders. The objec-

tive of the stage system is that facilities and amenities should be given to habitual offenders in a graded manner in accordance with the response shown by them to training and treatment programmes and also in accordance with the efforts made by habitual offenders for self-improvement.

The need of "keeping hardened and persistent offenders out of circulation from society as long as possible as per provisions of law" has been recognized by the All India Jail Manual Committee (1957-59). The *Model Prison Manual* has provided for remedial and corrective measures for this group of hardened and persistent habitual offenders. Provision has been made in this manual for opportunities for self improvement and re-education of such habitual offenders.

**Open Prisons :** During the post-independence period, a notable development has been the starting of open prisons. Uttar Pradesh under the leadership of the then Chief Minister Sampurnanand gave a lead in this respect. This new experiment proved successful. Since then in a number of states open prisons have been started. The *Model Prison Manual* contains provision for careful selection of prisoners, careful selection of personnel to be posted at open institutions, open work camps for prisoners sentenced upto one year, semi-open training institutions, open training institutions and open colonies.

Open work camps (which are meant for non-habitual offenders) offer practical solutions to the overcrowding in district and central prisons where a large percentage of inmate population consists of prisoners sentenced to short terms of imprisonment. Semi-open and open training institutions will be helpful in solving problems of non-habitual offenders sentenced to medium and long terms of imprisonment. So also open colonies will be helpful for dealing with the problems of prisoners sentenced to long terms of imprisonment. In many states open prisons have been organized. In Maharashtra the open prisons at Paithan and Kanhergaon have been developed on the basis of the recommendations of the All India Jail Manual Committee. Through the starting of open prisons in India prisoners got a hope for their social readjustment and re-settlement as useful citizens in free society. This had a salutary effect on prison discipline and morale of Indian prisons. This is an example of constructive humanism.

**Over-crowding in Prisons :** Prison administration has had to face the problem of over-crowding in prisons. Various measures such as use of probation, alternatives to short-term imprisonment, abolition of simple imprisonment, grant of remissions, etc., have been suggested to reduce overcrowding in prisons. A large section of prison population consists of prisoners sentenced to short terms of imprisonment and

under-trials. The Criminal Procedure Code has been revised. A number of important provisions have been included in this Code which will reduce the under-trial population in prisons. The Indian Penal Code is being revised. Certain new forms of punishment such as externment for a term from specified locality, compensation to victims, public censure for certain offences after previous conviction, etc., are proposed to be included in the Indian Penal Code. The new codes have several features which will have long range effects on the improvement of prison administration in the country.

It is recognized that short-term imprisonment has been a major handicap in the process of streamlining prison administration. The All India Jail Manual Committee has recommended that there should be no sentence under three months. All these trends indicate that some practical measures are being introduced to solve the problems of prison administration such as short-term imprisonment, concentration of under-trial prisoners and the resultant overcrowding in prisons.

**Legislation :** The Criminal Procedure Code has been revised. The Indian Penal Code is being revised at present. The Central Advisory Board on Correctional Services has prepared a comprehensive draft bill for replacing the Prisons Act of 1894 and other acts related with prison administration. This Board has also been deliberating over a draft model bill for Young Adult Offenders. These trends indicate that through the revision of the principal codes and legislation pertaining to prisoners, the prison administration in India will be further streamlined.

**Areas of Further Advancement :** The various aspects of prison reforms and scientific approaches to correctional work have been outlined above. During the post-independence era Indian prisons have been humanized. Conditions of living in prisons have improved. In the coming decades the future development of Indian prisons lies in the effective launching of reformatory and corrective measures through various scientific methods and techniques. Prisons will have to be developed as centres of correctional treatment. This objective will be achieved through (i) further development of prison service as a career service through the induction of trained, devoted and dedicated prison personnel on a wider scale, (ii) creation of a 'consciousness of kind' an *esprit-de-corps* and a sense of dedication amongst prison personnel, (iii) inclusion of prison administration in the plan sector, (iv) provision of more finance for development of prisons by giving higher priority to prison administration in the plan sector, (v) diversification of institutions, (vi) introduction of scientific classification of prisoners, (vii) development of programmes of social implantation through techniques of social work such as case work, group work etc., (viii) development of diversified and balanced correctional



training and treatment programmes through diversified educational, and vocational training, work, recreational and cultural activities, (ix) review of sentences on scientific basis for the purpose of release of the prisoner at the appropriate time, (x) pre-release preparation and planning for release, (xi) after-care and follow-up of released prisoners and (xii) statistics and research. These are the areas where social scientists and correctional administrators will have to jointly strive for achieving further advancement in the various aspects of prison administration.

**Integrated Approach :** Crime is a product of bio-psychological and socio-economic ramifications. The problem of crime cannot be solved only through prisons. Solutions to this ancient and persistent social problem also lie beyond the prison walls, that is, in social and economic fields. The crime problem will have to be attacked from various fronts, viz., prevention, control, investigation, adequate punishments, treatment and aftercare and follow-up of released prisoners. All these phases will have to be properly dovetailed so that the crime problem is adequately dealt with. Obviously, the crime problem will have to be combated on a comprehensive basis. This would eventually need comprehensive planning on scientific basis. This is another pressing need of a progressive system of prison administration.

**Challenge of Crime :** After India achieved freedom the rate of social and economic change has been greatly accelerated. Our social institutions are undergoing fundamental changes. The rate of industrial and urban growth has increased. There is a great change in the pattern of rural life. New concepts of social justice are pervading the various fields of our life. Problems of the weaker sections of the community are receiving greater attention on a priority basis. India is undergoing a process of development and progress. During such epochal periods the crime problem assumes a different perspective.

The social problem of crime has always posed challenges to society. In the present times also crime problem has been posing new challenges which will have to be met by the application of scientific methods, watching the results of the new methods and evaluating prison programmes through projects of applied research. Since ancient times the crime problem has never been solved by merely making punishments more harsh or retributive. This problem will have essentially to be understood from a new perspective in the context of the present social, economic and psychological upheavals. The conclusions of applied research will have to flow into the future planning of prison administration. A broad-based humanism has been an important component of prison reforms in India. This humanism will

have to take a more constructive form and will have to be combined with scientific and empirical approaches towards all aspects of prison reforms and prison administration.

Government of India has always been providing leadership for streamlining prison administration all over the country and also for the introduction of prison reforms on proper lines. The National Institute of Social Defence is becoming a focal point where a new thinking in regard to various aspects of social defence is evolving. Present trends show that a new consciousness in respect of all aspects of prison administration is growing in the country. It is believed that through this new consciousness, which is rational and pragmatic, the new challenges thrown up by the crime problem will be adequately met in India.

## CHAPTER VI

# EDUCATION

### I. National System Of Education

**Heritage of the Past :** The High value attached to education through the whole span of life and the deep respect for learning were firmly enshrined in the traditional culture of India. The Brahmanic, Buddhistic and Islamic systems of education had much in common; learning was based upon religious texts and the authority of tradition was over-riding.

These traditional systems were mainly designed to transmit culture from one generation to another and to preserve the hierarchical character of society. They did, however, emphasize the value of education for enrichment of personality and the quality of life, especially for the upper classes, and maintained an established order of institutions and beliefs in society. Down the centuries the ancient knowledge and the basic moral and spiritual values were kept alive by the traditional systems which have permeated the living cultures of the masses of people to the present time.

The great divide between the education of the elite and the culture of the masses came under the British rule in the early decades of the nineteenth century. For many years the protagonists of oriental learning and western science argued their respective points of view in the deliberations of the policy-makers of the East India Company. The well-known Minute of Lord Macaulay put the seal in favour of western learning through the medium of English which was made inevitable by the historical forces that held sway over the minds of men, both English and Indian, at that time. Liberalism, missionary zeal, notions of progress and utilitarianism, all contributed to this fateful decision.

Its most important aspect was, however, the political fact of foreign domination of a subject people whose culture was rejected in favour of an alien system to preserve and promote imperial rule. The sense of superiority and the attitude of arrogance marking the decision in favour of western learning through the medium of English language imposed a character on the new system of education from which it continued to suffer during the period of the British rule.

The colonial system of education developed in minor details, but

remained basically what it was originally intended to be—an alien system of imparting literacy to a few and useful knowledge to the elite in a foreign tongue for creating a class of people who could be relied upon to maintain and strengthen the might of the British Raj in India. This system suffered from many defects which paralysed the originality of thinking and the urge to creativity among the Indians. It made a sharp break with the past, and remained for more than a century a foreign implantation without any relationship with the roots of the Indian culture and the traditional values of the people. The colonial system was alien in concept, limited in scope and rigid in character.

In course of time some small concessions were made in favour of native learning and the spread of literacy contributed inevitably to the growth of Indian languages. But the content of education from the elementary stage of mere literacy to high education comprising largely the cramming of English literature and western sciences remained unaltered, nurturing an elite of feeble mind but sharp memory, of little freedom and boldness of thinking while manifesting high degree of sheer imitation, crippling conformity and effete obedience. The elite served the Raj and served themselves. A new class structure, worse than the old caste hierarchy, gave rise to divisions and inequalities in society.

There were, however, some notable exceptions among sensitive individuals who tasted the essence of new knowledge and liberalism and regretted the emasculation of the Indian intellect by an alien system. They felt deeply the grave limitations which a foreign implantation had placed on the intellectual life of the people, thwarting progress and national unity.

These limitations were noticed early by educationists and reformers and several commissions and committees set out to rectify the situation. A well-known statement of the Board of Directors of the East India Company, popularly known as the Wood's Education Despatch of July 19, 1854, contained some genuinely liberal ideas. The Indian Education Commission of 1882, under the chairmanship of Sir William Hunter, produced a classic document which made several useful recommendations. In particular, the Report laid the foundation of a liberal grant-in-aid system as a result of which private enterprise developed rapidly and brought about a large expansion of secondary and collegiate education. Other areas in which it made a significant contribution were the education of girls, the reorganization of the provincial education departments, and the education of the backward classes.

The Indian Universities Commission of 1902, under the chairman-

ship of Dr. Raleigh, carried out a comprehensive review of the first five Indian universities of Bombay, Madras, Calcutta, Punjab and Allahabad. The Report of this Commission led to the Indian Universities Act of 1904 which made an endeavour to raise standards of attainment.

The Report of the Calcutta University Commission of 1917, under the chairmanship of Sir Michael Sadler, was a comprehensive document which dealt with university education in general, and also touched upon the contents and quality of secondary education. The Report of the Commission remained largely unimplemented, but its findings and recommendations exercised great influence on the development of higher education in the twenties and thirties. These early enquiries and reviews of education did not place sufficient stress on mass education and overlooked the importance of the elementary and the secondary stages of education.

It was the nationalist movement of the late nineteenth century which generated strong criticism of the colonial system. Both the national leaders and the educationists condemned this system. There emerged several constructive solutions and experiments which made some original contribution to educational thought and practice. These were noble efforts and commendable portents for the future, but their influence was limited and the colonial system dominated the scene until the advent of independence.

**New Problems :** Independence brought new problems and formidable tasks, among which education figures prominently. The dissatisfaction with the system inherited from the past was universal, and in the first flush of triumphant nationalism even the few gains from the past experience were rejected. Apart from its irrelevance to new conditions and objectives, the educational system had not achieved sufficient quantitative expansion or any appreciable equality of educational opportunity, and the wastage and stagnation at all levels was colossal. It was evident that a drastic reconstruction of the entire system was necessary if education was to contribute effectively to the achievement of the goals of national development.

The Constitution of India adopted a democratic form of government and adult franchise necessitating mass education and the liquidation of illiteracy. The over-riding goal of better standards of living called for the linking of education with productivity, the need for science, adequate provision of vocational and professional education and the nurturing of talent at all levels. The launching of a secular democracy based on the protection of the rights of minorities and the acceptance of a composite culture highlighted the importance of social and national integration to which education was expected to make a

major contribution.

**Responsibility of the Union Government for Education :** The Constitution of India, adopted after long and intensive labours of the Constituent Assembly on January 26, 1949, contained important provisions concerning education and defined the division of responsibility between the union government at the centre and the states. The Constitution makes education a state subject according to entry 11 of List II of state functions. The jurisdiction of the states for education is limited only by the provision of entries 63, 64, 65 and 66 of List I and entry 25 of List III. These entries read as follows :

**List I—Union Functions :**

63. The institutions known at the commencement of this Constitution as the Banaras Hindu University, the Aligarh Muslim University and the Delhi University, and any other institution declared by Parliament to be institutions of national importance.

64. Institutions for scientific or technical education financed by the Government of India wholly or in part and declared by Parliament to be institutions of national importance.

65. Union agencies and institutions for

- (a) professional, vocational or technical training, including the training of police officers ; or
- (b) the promotion of special studies or research; or
- (c) scientific or technical assistance in the investigation or detection of crime.

66. Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions.

**List III—Concurrent Functions :**

25. Vocational and technical training of labour.

Apart from these main provisions of the Constitution defining the direct responsibility of the union government in the field of education, there are several provisions having a bearing on education. Article 45 of the Constitution, which is also a directive principle of State policy, provides that "the State shall endeavour to provide, within a period of ten years from the commencement of the Constitution, for free and compulsory education for all children until they complete the age of 14 years". Various provisions for safeguarding the educational and cultural interests of minorities notably Articles 28, 29, 30, 337, 350A and 350B have a bearing on education. The provision of safe-

guards for the advancement of weaker sections of the community like the scheduled castes and scheduled tribes is reflected in Articles 15, 17, 29, 46, 338, 339 and 340. Article 46, which is a Directive Principle of State Policy, provides that "the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and the Scheduled Tribes and shall protect them from social injustice and all forms of exploitation". Several other provisions have indirect bearings on the development of education *i.e.*, Articles 14, 15, 16 and 24. Provisions concerning the official language of the union, notably Articles 343 and 351 place additional responsibilities on the union government. Article 351 provides that "it shall be the duty of the Union to promote the spread of Hindi language, to develop it so that it may serve as a medium of expression of all the elements of the composite culture of India and to secure its enrichment by assimilating, without interfering with its genius, the forms, style and expression used in Hindustani and in other languages of India".

These and other provisions having direct or indirect bearing upon education are frequently invoked in a continuing controversy concerning centre-state relations in education as defined in the Constitution. Often a view is expressed that the national importance of education should be recognized by including it at least in the Concurrent List. This was considered at some length by the Indian Education Commission (1964-66), and their view stated in paragraphs 18.29 and 18.30 of the Commission's Report is the latest authoritative pronouncement on this controversial subject. Apart from the financial resources of the centre and its growing activity in national planning and social and economic development, the importance of education as a great national concern and its vital role in socio-economic planning and development tend to enhance the responsibilities of the centre not only in the field of higher education but also for the totality of educational change and transformation.

**Evolving a National System of Education :** At mid-twentieth century, soon after independence, Indian education faced the challenges of the future with a dubious heritage from the past and a formidable array of problems created by the rapid tempo of change and new responsibilities of freedom and nation-building. The system of education inherited from a century and a half of British rule remained alien in conception and outmoded and static in its functioning. The main task after independence was to evolve a national system of education to match the requirements of a new age in which India launched upon the great experiment of democracy and economic and

social development through a just, equitable and dynamic social order. It was universally recognized that education had a crucial role to play in the achievement of the objectives and principles enshrined in the Constitution.

During the post-independence period, both the union government and the state authorities were continuously involved in the search for a modern system of education responding to the needs of the times. This quest was pursued by a process of consensus expressing itself through national commissions, conferences, committees, councils and all India institutions. Thus was evolved a national pattern of education which surveyed the national scene, examined special problems of national importance and character, formulated measures and recommendations for action and appraised and evaluated progress from time to time. Commencing with the various committees before independence, which led to the formulation of a post-war educational development plan, embodied in the Sargent Report, the different stages of education were reviewed. Notable among these were the University Education Commission (1948-49) under the chairmanship of Sarvepalli Radhakrishnan, the Committee on Elementary Education (1950-52), the Secondary Education Commission (1952-53), the Rural Higher Education Committee (1954-55), the Committee on Three-Year Degree Course (1956-58), the Assessment Committee on Basic Education and the National Committee on Women's Education (1958-59). The process of transforming the national system of education culminated in the work of the Indian Education Commission which was appointed in 1964 and reported to the government in 1966. The findings and recommendations of these committees were carefully considered by the union and state governments and were the subject of thorough discussions by such all-India bodies as the Central Advisory Board of Education, the All India Council of Secondary Education, the All India Council of Elementary Education and the University Grants Commission. The results of these deliberations are reflected in varying measures in all educational developments since independence.

From 1950 India had a National Planning Commission, and Five-Year Plans were launched in which education figured as an important national activity. During the course of the first three Five-Year Plans (1951-65) considerable progress was made, but educational planning suffered from the fact that there was no long-term comprehensive plan integrated into an overall national plan. Planning was largely confined to financial and quantitative projections.

A new era in educational planning started with the appointment of the Indian Education Commission, which was set up to examine all levels and aspects of education and to recommend suitable meas-



ures for a long-term national policy in the field of education. The Commission made an unprecedented attempt to mobilize international thinking and experience for the planning of a national system; its sixteen members included five distinguished educationists from the United Kingdom, Japan, the United States, the USSR, and France, whose services were made available by UNESCO. In addition, numerous leaders in different fields of education from many other countries, regions and cultures collaborated with the commission as consultants. The report of the commission turned out to be a comprehensive document dealing with problems of educational planning and development at all levels. The recommendations of the commission were discussed widely in India and received the attention of educational planners in other developing countries. Resulting from discussion at state and union levels in Parliament, press and among specialists and the general public, a resolution on national policy on education was finally issued by the Government of India in 1968. The resolution stated seventeen principles highlighting the main features and goals of the national system of education that should guide the development of education in the years ahead. These principles on which educational planning and reforms are now based sum up the important trends towards a quantitative improvement of education as below :

- (i) Free and Compulsory Education—Free and compulsory education for all children up to the age of 14 should be provided by the earliest possible date and suitable programmes should be developed to reduce the prevailing wastage and stagnation in schools.
- (ii) Status, Emoluments and Education of Teachers—Teacher education, particularly in-service education, should receive high priority. Teachers must be accorded an honoured place in society, their emoluments and other service conditions should be adequate, and their academic freedom should be guaranteed.
- (iii) Development of Languages—"The energetic (development of Indian languages and literature is a *sine qua non* for educational and cultural development. Unless this is done, the creative energies of the people will not be released, standards of education will not improve, knowledge will not spread to the people, and the gulf between the intelligentsia and the masses will remain if not widen further." The regional languages, already used as media of education at the primary and secondary stages, should be urgently adopted at the university stage. At the secondary stage every child should learn three langu-

ages : the language of his region, Hindi (or another Indian language if the language of his region is Hindi), and English. Hindi should become the link language, a medium of expression for the elements of the composite culture of India. For its cultural value the study of Sanskrit should be specially encouraged. "Special emphasis needs to be laid on the study of English and other international languages. World knowledge is growing at a tremendous pace, especially in science and technology. India must not only keep up this growth but should also make her own significant contribution to it".

- (iv) **Equalization of Educational Opportunity**—Regional imbalances should be corrected and good educational facilities be provided in rural and other backward areas. To promote social cohesion and national integration, a common school system should be adopted; this should not, however, affect the minority rights guaranteed by the Constitution. The education of girls should receive emphasis, as should education among the backward classes.
- (v) **Identification of Talent**—"For the cultivation of excellence, it is necessary that talent in diverse fields should be identified at as early an age as possible, and every stimulus and opportunity given for its full development".
- (vi) **Work-Experience and National Service**—"The school and the community should be brought closer through suitable programmes of mutual service and support. Work-experience and national service including participation in meaningful and challenging programmes of community service and National reconstruction should accordingly become an integral part of education".
- (vii) **Science Education and Research**—These should be an integral part of general education till the end of the school stage.
- (viii) **Education for Agriculture and Industry**—This requires special emphasis. There should be atleast one agriculture university in every state and at other universities selected departments may be strengthened for the study of one or more aspects of agriculture. Technical education and research should be related closely to industry. There should be a continuous review of the agricultural, industrial and other technical manpower needs and a proper balance should be maintained between the output of the educational institutions and employment opportunities.

- (ix) **Production of Books**—The quality of books should be improved and immediate steps should be taken for the production of high quality text-books for schools and universities. Efforts should be made to have a few basic text-books throughout the country. Special attention should be given to books for children and to university level books in Indian languages.
- (x) **Examination**—A major goal of examination reform should be to improve the reliability and validity of examinations and to make evaluation a continuous process.
- (xi) **Secondary Education**—Facilities for secondary education should be extended expeditiously to areas and classes which have been denied these in the past. Facilities for technical and vocational education need to be increased, diversified and related closely to employment opportunities.
- (xii) **University Education**—(a) "The number of whole-time students admitted to a college or university department should be determined with reference to the laboratory, library and other facilities and to the strength of the staff". (b) New universities should be established only in case of proved necessity after adequate provisions of funds and with due care for ensuring proper standards. (c) The organization of post-graduate courses and their standards of training and research need to be improved. (d) "Centres of advanced study should be strengthened and a small number of 'cluster of centres' aiming at the highest possible standards in research and training should be established." (e) Research in universities requires increased support, and the research institutions should, as far as possible, function within the fold of universities or in intimate association with them.
- (xiii) **Part-time Education and Correspondence Courses**—These should be developed on a large scale at the university stage, and also provided for secondary school students, teachers, and agricultural, industrial, and other workers.
- (xiv) **Spread of Literacy and Adult Education**—(a) "The liquidation of mass illiteracy is necessary not only for promoting participation in the working of democratic institutions and for accelerating programmes of production, especially in agriculture, but for quickening the tempo of national development in general. Employees in large commercial, industrial and other concerns should be made functionally literate as early as possible..... Teachers

and students should be actively involved in organizing literacy campaigns, especially as part of the Social and National Service Programmes.” (b) The education of young farmers and the training of youth for self employment should have high priority.

- (xv) Games and Sports—Playing fields and other facilities for developing a nationwide programme of physical education should be provided on a priority basis.
- (xvi) Education of Minorities—Every effort should be made not only to protect the rights of minorities but actively to promote their educational interests.
- (xvii) Educational Structure—A broadly uniform educational structure of ten years’ general education in schools, followed by two years of higher secondary stage and three years’ course for the first degree should be adopted in all parts of the country.

This statement of the seventeen principles for planning and development of education was accompanied by an important declaration of policy. “The reconstruction of education on these lines will need additional outlay. The aim should be gradually to increase the investment in education so as to reach a level of expenditure of six per cent of the national income as early as possible.” This ambitious target required a doubling of the roughly three per cent of national income devoted to education.

The statement on national educational policy based on the recommendations of the Indian Education Commission (1964-66) reflected the government’s desire to transform Indian education and relate it to the needs and aspirations of the people. The broad principles offered useful guidelines to planners and administrators, underlined current priorities, and indicated the lines of development to be pursued in the years to come.

As a result of all these recommendations and studies an attempt was made to bring about an all round improvement of education. At all stages and in all sectors of education some programmes of expansion, reorganization or reform were undertaken and implemented. Taking an overall view it may be said that three policies dominated the scene :

- (i) The development of science education and scientific research and the promotion of education in technology and agriculture in order to promote economic growth through the development of industry and agriculture.
- (ii) Expansion of educational facilities at all levels and particularly the provision of free and universal education for

all children.

- (iii) The equalization of educational opportunities through the development of a large programme of scholarships and emphasis on education of girls and of the backward classes.

Many problems and difficulties were experienced in the process of implementing educational change and reform, and the gulf between thought and action persisted, often somewhat glaringly, in spite of the efforts of planners, administrators, teachers, and policy-makers. Most of the problems and difficulties emanated from three factors which were not easy to cope with. In the first place, the explosion of numbers released a flood of enrolments at all levels resulting in the rapid extension of facilities and creation of institutions of inadequate quality and standards. The demand for education became universal and often the role of the planner and administrator was merely to respond as far as possible to this need which could not be denied. Secondly, the explosion of expectations required both the diversification of facilities and qualitative improvements to match the desire of those who sought the type and efficacy of education unknown in the past. Thirdly, both the inexorable pressure of mounting enrolments and the need for qualitative improvements of the content and institutional structures of education were thwarted by the extreme paucity of material resources that could be made available to education. During the two decades after independence (1950-70), the total enrolment at all levels increased from 2,55,43,000 to 8,27,39,042 and all types of educational institutions increased from 2,86,860 to 77,79,429. At the same time frantic efforts had to be made to make education more relevant to the needs of the times by introducing improvements and innovations. To meet the colossal cost of both quality and quantity, the total expenditure on education from all sources was increased from Rs. 657.9 million to Rs. 8,636.8 million but this apparently large increase was to some extent offset by the general decline in money values and the heavy cost of increasing even marginally the salaries of teachers. Despite these immense difficulties and handicaps, the process of transforming Indian education was well launched and some commendable results have already been obtained and more are expected from the development of activities described in the following sections.

## II. Educational Development

**Pre-Primary Education :** A growing awareness of the importance

of pre-primary education entered educational thought and planning after 1950 and a number of schools were established, mainly through private and charitable efforts. The number of pre-primary schools grew appreciably, but these institutions were confined to urban areas and served the needs of children from the upper and middle classes. The greater need of the poor classes was tardily met by state efforts but some notable advances were made through the community development programmes and the activities of the Central Social Welfare Board. The financial allocations for pre-primary education were limited and progress was consequently slow.

The increasing population of pre-primary education in the post-independence period is reflected in some impressive advances in the number of institutions, teachers and enrolment. While in 1950-51 there were only 303 pre-primary schools with 866 teachers and children's enrolment of about 28,000, these figures in 1965-66 swelled to 3,500 schools, 6,500 teachers and enrolment of more than 2,50,000 students. The total direct expenditure on pre-primary education also rose from about 1.2 million or 0.1 per cent of the total educational expenditure in 1950-51 to Rs. 11 million or 0.2 per cent of the total educational expenditure in 1965-66. In addition to these largely urban institutions, the programmes of the Central Social Welfare Board and the Community Development Administration provided some facilities which also included 20,000 Balwadis with an enrolment of about 6,00,000.

The Education Commission (1964-66) underlined the importance of pre-primary education and formulated its objectives as follows :

- (i) to develop in the child good health habits and to build up basic skills necessary for personal adjustment, such as dressing, toilet habits, eating, washing, cleaning, etc. ;
- (ii) to develop desirable social attitudes and manners, and to encourage healthy group participation making the child sensitive to the rights and privileges of others ;
- (iii) to develop emotional maturity by guiding the child to express, understand, accept and control his feelings and emotions ;
- (iv) to encourage aesthetic appreciation ;
- (v) to stimulate the beginning of intellectual curiosity concerning the environment and to help him understand the world in which he lives, and to foster new interests through opportunities to explore, investigate and experiment ;
- (vi) to encourage independence and creativity by providing the child with sufficient opportunities for self-expression ;
- (vii) to develop the child's ability to express his thoughts and

- feelings in fluent, correct and clear speech ; and  
 (viii) to develop in the child a good physique, adequate muscular coordination and basic motor skills.

The Commission also made valuable recommendations which have guided subsequent developments. Realizing the paucity of financial resources and organizational problems, the Commission suggested a total enrolment of about 2.5 million or five per cent of the children in the age group of 3 to 5 as a feasible target to be reached by 1986. Some progress has been made towards the attainment of this modest target. By 1972 about one million children in this age group or approximately 2 children out of every hundred benefited by the various programmes. A large integrated programme of child-care services, including nutrition, health care and welfare, has been proposed for implementation in the Fifth Five-Year Plan.

**Primary Education :** The provision of universal, compulsory and free elementary education was a cherished goal of nationalist leaders in the freedom movement during the period of British rule. Notable among these were Dadabhai Naoroji and Gopal Krishna Gokhale who advocated the cause of universal primary education. Their target was modest. Gokhale pleaded for universal primary education of four years for all children, but even this proved to be beyond the will and the resources of the government. Mahatma Gandhi's scheme of basic education projected a craft-centred curriculum of seven or eight years' duration for all children. In spite of these efforts and ardent nationalist aspirations, the actual progress of elementary education was meagre. In 1947 the percentage of literacy was only 14 and the school enrolments were small and limited; only one child out of three in the age-group 6—11 and one out of eleven in the age-group 11—14 had been enrolled. The post-war educational development plan, commonly known as the Sargent Report (1944) provided for the achievement within a period of forty years of universal, compulsory and free primary or basic education for all children between the ages of 6 and 14, divided into Junior Basic (6—11) and the Senior Basic (11—14) stages. After independence a special committee under the chairmanship of B. G. Kher recommended in 1950 that this goal should be reached by 1960. This recommendation was incorporated in Article 45 of the Constitution directing the states to strive to provide within a period of ten years "free and compulsory education for all children until they complete the age of fourteen years". The task proved to be formidable and immense difficulties were encountered with the result that the directive still remains unfulfilled. Large increase of population, paucity of financial resources, traditional resistance to the education of girls especially in the rural

areas and among the backward classes, general apathy and illiteracy of parents, extreme poverty of the masses of people, and the competing claims of higher education and technical education for scarce resources, retarded the pace of progress and the achievement of the constitutional directive remained a distant goal. In spite of these colossal difficulties, a substantial measure of expansion of enrolments at the elementary stage of education took place. The following table reflects some impressive quantitative increases of enrolment during the period 1950-1974 :

TABLE I  
Enrolment in Elementary Education  
(1950-1974)

Plan and Year		Enrol- ment in grades I-V (Mil- lions)	Percent- age of children enrolled in grades I-V to total popu- lation in agegroup 6-11	Enrol- ment in grades VI-VIII (Millions)	Percent- age of children enrolled in grade VI-VIII to total population in age group 11-14
1	2	3	4	5	6
1950-51					
First Plan	Boys	13.8	60.0	2.6	20.8
	Girls	5.4	24.9	0.5	4.3
	TOTAL	19.2	42.6	3.1	12.9
1955-56					
Second Plan	Boys	17.5	72.0	3.4	25.4
	Girls	7.6	32.8	0.9	6.9
	TOTAL	25.1	52.8	4.3	16.5
1960-61					
Third Plan	Boys	23.6	82.6	5.1	32.2
	Girls	11.4	41.4	1.6	11.3
	TOTAL	35.0	62.4	6.7	22.5
1965-66					
	Boys	32.2	96.3	7.7	44.2
	Girls	18.3	56.5	2.8	17.0
	TOTAL	50.5	76.7	10.5	30.9
1968-69					
Fourth Plan	Boys	34.2	95.6	9.0	47.0
	Girls	20.2	59.6	3.5	19.3
	TOTAL	54.4	78.1	12.5	33.5



1	2	3	4	5	6
<b>1973-74 (Estimates)</b>					
	Boys	39.4	100.0	10.5	48.0
	Girls	24.4	66.0	4.5	22.0
	<b>TOTAL</b>	<b>63.8</b>	<b>84.4</b>	<b>15.0</b>	<b>36.0</b>

Source: (1) *Education in the Fifth Five Year Plan (1974-79)*, Ministry of Education and Social Welfare, New Delhi, 1972 (for 1950-51, 1955-56, 1960-61, 1965-66 and 1968-69).

(2) *Draft Fifth Five Year Plan (1974-79)*, Planning Commission, New Delhi (Chapter VIII for 1973-74).

The enrolments in grades I to V specified in the above table is not confined to the age-group 6—11 alone; the proportion of children outside this age-group, those below six and above eleven in grades I—V has been estimated to be more than 30 per cent of the total enrolment. As we approach the point of universal enrolment at the end of the Fifth Plan period greater effort will be needed to bring to the primary schools, children belonging mostly to the weakest sections of society who are still left out. For the age-group 11—14 in class VI—VIII the task is still more difficult; at the end of the Fifth Plan period the enrolment at this stage is expected to be only 47 per cent.

The attainment of the quantitative targets of universal enrolment of children up to the age of 14 is not the only problem of expanding primary education. Even more serious is the problem of universal retention by ensuring that a child enrolled in class I at the age of 6 continues to remain in school till the age of 14. At present out of every hundred children enrolled in class I, only about 40 reach class V and not more than 25 reach class VIII. The large extent of stagnation and wastage especially in class I attracted the attention of the Education Commission (1964—66) which attributed this unsatisfactory state of affairs to a number of causes. Prominent among these causes are the heterogeneity of the age-composition of students, the practice of making fresh admissions throughout the year, irregularity of attendance, lack of educational equipment, over-crowded classes, unsuitable curricula, inability of the teachers to use suitable techniques to initiate the children pleasantly to school life, poor teaching standards, inadequate preparation of teachers and a wrong system of examinations. The Commission made a number of suggestions and recommendations which have become the basis of improving the contents of education at the primary stage.

The improvement of standards by relating education to local environment and introducing some form of work experience has proved to be a difficult undertaking. While quantitative expansion has been fairly large and impressive, qualitative improvements have not kept

pace with the rise of numbers and the measures of success achieved is unevenly spread over the different stages and areas of the Indian Union. While the goal of providing an elementary school for classes I—V within every walking distance from the home of every child has been almost achieved, it still remains a distant goal for classes VI—VIII in several states and backward areas. Special difficulties in enrolling girls and children of scheduled castes, scheduled tribes, landless agricultural labourers and other weaker sections of the community persist.

Problems of quantitative expansion and qualitative improvements in primary education continue to bedevil the efforts of educational planners and administrators and the immense resources, both financial and human, needed to accomplish these tasks are not yet in sight. There are, however, signs of fresh determination to find suitable strategies of development and more effective ways and means to implement the programmes of reform and expansion in this crucial stage of education involving a large part of the nation as school children and their parents. This trend is reflected in the plans formulated for education in the Fifth Five-Year Plan (1974-1979). Development in three phases of universal provision of schools, universal enrolment, and universal retention is foreseen and the following five special programmes have been adopted for eliminating wastage and stagnation :

- (i) A system of part-time education will have to be introduced, especially for the age-group 11—14. The general principle should be that every child in the age-group 6—14 shall attend school on a full-time basis, if possible, and on a part-time basis, if necessary.
- (ii) The second is the provision of ancillary services to help poor children. This will include the provision of free books and other learning materials, mid-day meals and even clothing.
- (iii) In order to enrol girls and keep them at school, creches and pre-schools will have to be attached to primary schools because most of the older girls have to look after the young children at home. These need not be costly as they can be run with the help of locally recruited women (who may be suitably trained) and by a cooperative arrangement between the older girls themselves.
- (iv) The quality of education will have to be improved so that the power of the schools to attract and retain children is considerably increased.
- (v) Educative propaganda for adults will also help in this direction. In some cases, welfare services to the family

will have to be provided.<sup>1</sup>

Plans have also been made for programmes of qualitative improvement at the primary and middle school stages. Prominent among these are the introduction of work experience in classes I—VIII, improvement of science education, supply and training of teachers, establishment of model primary schools, one in each community development block, upgrading of a selected number of primary and middle schools and provision of grants-in-aid for general improvement of primary schools.

**Secondary Education :** The expansion of secondary education has been even more impressive in the post-independence period. In 1974 there were about 40,000 secondary schools with an enrolment of 8.5 million as against 6,682 schools in 1949 with the total enrolment of only 1.05 million. The following table reflects the expansion of enrolments through the plan periods till 1974 :

TABLE II  
Enrolment in Secondary Education (1950-74)

Plan & Year		Enrolment in grades IX-XI (millions)	Percentage of children enrolled in grades IX-XI to total population in the age-group 14-17
1		2	3
1950-51 First Plan	Boys	1.09	9.3
	Girls	0.16	1.5
	TOTAL	1.25	5.5
1955-56 Second Plan	Boys	1.65	13.4
	Girls	0.33	2.9
	TOTAL	1.98	8.3
1960-61 Third Plan	Boys	2.47	17.5
	Girls	0.56	4.3
	TOTAL	3.03	11.1
1965-66	Boys	4.08	25.5
	Girls	1.20	10.4
	TOTAL	5.28	16.9

1. *Education in the Fifth Five-Year Plan, 1974-79*, Ministry of Education and Social Welfare, New Delhi, 1972.

1		2	3
<b>1968-69</b>			
<b>Fourth Plan</b>	Boys	4.90	28.3
	Girls	1.58	9.5
<b>TOTAL</b>		<b>6.48</b>	<b>19.1</b>
<b>1973-74 (Estimates.)</b>			
	Boys	6.16	31.0
	Girls	2.34	12.0
<b>TOTAL</b>		<b>8.50</b>	<b>22.0</b>

Source: (1) *Education in the Fifth Five-Year Plan (1974-79)*, Ministry of Education and Social Welfare, New Delhi, 1972 (for 1950-51, 1955-56, 1965-66 and 1968-69).

(2) *Draft Fifth Five-Year Plan (1974-79)*, Planning Commission, (Chapter VIII for 1973-74).

NOTE.—Enrolments given in column 2 include those in classes XI and XII of Intermediate classes in UP which the state government regards as part of the secondary education.

The rapid expansion of secondary education was due mainly to the extension of facilities for elementary education in the rural areas and the general awakening among the masses of people who began to value education for the improvement of their conditions of life. The educational authorities responded to these popular urges by opening new secondary schools in rural areas and affording liberal concessions to girls and pupils belonging to socially and economically backward communities. Several states decided to provide free education at the secondary stage.

The pace and pattern of the expansion of facilities for school education were facilitated by an educational survey completed for the whole country in 1958-59. The survey undertook the immense task of locating existing primary, middle and secondary schools in order to form a reliable basis for the location of new institutions. The survey proved to be of immense value to the planning of school education and was subsequently brought up to date in the 'sixties'.

In spite of the large expansion of secondary education, it has remained as the weakest component of the educational system and several attempts to reorganize and reform came up against serious obstacles and only a limited measure of progress was achieved.

Perhaps the most crucial educational reform attempted in the post-independence period was the reorganization of the secondary stage of education in accordance with the recommendations of the Secondary Education Commission under the chairmanship of A. L. Mudaliar (1952-53). The Secondary Education Commission proposed that the total duration of the school course should be reduced from 12 to 11 years, comprising 7 or 8 years of the primary stage (4+3 or

5+3 years) and 3 years of the secondary stage. The reduction of the time-span of pre-university schooling was to be accompanied by better teaching methods and more effective curricula. The Commission proposed that the curricula of the higher secondary course should include: (a) three languages—mother tongue, Hindi and English, with a modern Indian language other than Hindi for those whose mother tongue was Hindi; (b) social studies and general science, including mathematics; (c) one craft to be selected from a group of prescribed crafts; and (d) three additional subjects selected from seven prescribed groups, viz., humanities, science, technology, commerce, agriculture, fine arts and home science. For the diversification of the curriculum to meet the different aptitudes and capacities of students, the Commission recommended the establishment of multi-purpose schools providing terminal courses in technology, commerce, agriculture, fine arts and home science. This was intended to make secondary education terminal for those who would be diverted into different walks of life at the end of the secondary course. The traditional system of examinations, with its mechanical and unreliable techniques and restricted scope, was to be replaced by modern methods of evaluation, providing better appraisal of the pupil's progress and educational growth. It also envisaged a better qualified and more competent teacher, attracted to his profession by better rewards, more thorough in training and well-equipped for challenging teaching situation in which several persons with post-graduate qualifications would be required. The other important recommendations included the provision of educational and vocational guidance to pupils, improvements of libraries and laboratories, adoption of more effective and dynamic methods of teaching, employment of new educational technologies, especially audio-visual aids, and transfer of responsibility for conducting school leaving examinations from the universities to Boards of secondary education.

While a consensus for the reform of secondary education on the lines of the Commission's recommendations was achieved, the process of implementation by the centre and the state governments ran into difficulties and only a partial success was achieved. Controversy about the duration of the school course persisted, the constraints of finance retarded the process of conversion of secondary schools into the higher secondary and the scheme of multi-purpose schools was virtually abandoned. Efforts at qualitative improvement were diluted under the mounting cost and pressure of increasing enrolments. The one undoubted gain was the improvement in the emoluments, training and service conditions of secondary teachers. It was unfortunate that no effective steps were taken to diversify and vocationalize secondary education to make the secondary stage terminal for a substantial number

of students and thereby reduce pressure on university admissions. Between the political appeal of primary education and the elitist support of higher education, the crucially important secondary stage of education suffered from neglect and lack of support and consequently education could not make its full contribution to nation-building. National priorities were reflected in financial allocations. Secondary education received Rs. 20 crores or 13 per cent of the total outlay on education in the First Plan, Rs. 51 crores or 19 per cent in Second Plan, Rs. 103 crores or 18 per cent in the Third Plan, and Rs. 140 crores or 18 per cent in the Fourth Plan. A more rational distribution of funds would have given about a third of the total allocation to secondary education.

A reorganization of the school system, based upon the recommendations of the Education Commission (1964-66), is now in progress. It aims at a ten-year school providing general education to all, followed by two years of higher secondary courses designed in two streams leading to the university and the world of work, and the three years degree course or advanced vocational and professional courses for those who would continue in higher education. The reform of the school system provides for new features such as work experience, better understanding of science and technology including mathematics and physical education. The implementation of the new scheme of 10+2+3 years of educational stages leading to the first degree along with the various qualitative improvements to raise standards of teaching and learning would go a long way towards the transformation of the educational system into a national, realistic and effective pattern.

**Higher Education and Research :** Soon after independence, the Government of India appointed a University Education Commission (1948) under the chairmanship of Sarvepalli Radhakrishnan. The priority given to higher education for the tasks of national reconstruction and cultural resurgence reflected the new educational policy and concern of the central government for the improvement of university education and supply of trained manpower. The report of the Radhakrishnan Commission (1949) guided the development of university education until the Indian Education Commission (1964-66) carried out a first review and in many respects reiterated the recommendations made earlier.

Endorsing the recommendations of the Calcutta University Commission (1917-19), the University Education Commission recommended a first degree course of three years after 12 years' schooling. It emphasized the role of the university in advancing knowledge through original research and suggested several measures for streng-

thening post-graduate teaching and research and expanding their scope by including new fields of study such as marine biology, fine arts, archaeology, social sciences and international relations. It stressed the need to impart a general education in liberal arts and science at the first degree stage, warning against the dangers of extreme specialization in the intermediate and degree programmes. In order to draw the best talent to the teaching profession, higher salaries and increase of senior posts of professors and readers was recommended. Other improvements suggested included the reform of the examination system, expansion of opportunities for scholarships and stipends, adequate measures for students' welfare and increased provision of libraries and reading rooms. The extension of National Cadet Corps, physical education, medical facilities and extra-mural activities in universities were favoured. On the question of religious education the Commission underlined its importance while disapproving denominational and partisan instruction.

The Commission made important recommendations on the subject of medium of instruction. Recognizing the overall role of Hindi as the federal language and stressing the importance of English in the country's academic and intellectual life, the Commission recommended that

- (i) the federal language be developed through the assimilation of words from different sources and the retention of words which have already entered into Indian languages from different sources, thereby avoiding dangers of exclusiveness;
- (ii) international technical and scientific terminology be adopted, the borrowed words be properly assimilated, their pronunciation be adapted to the phonetic system of the Indian languages and their spellings fixed in accordance with the sound symbols of Indian scripts;
- (iii) for the medium of instruction for higher education, English be replaced, as early as practicable, by an Indian language;
- (iv) pupils at higher secondary and university stages be made familiar with three languages—the regional language, the federal language and English (in order to acquire the ability to read books in English); and
- (v) English be studied in high schools and in the universities in order that we might keep ourselves in touch with the living stream of evergrowing knowledge.

In order to meet the need of rural reconstruction in industry, agriculture and various walks of social life, the Commission suggested the

establishment of rural universities supported by rural colleges doing under-graduate work. Special stress was placed on the role of universities in professional education in the fields of agriculture, medicine, commerce, engineering and technology, education, law and new professional studies such as business administration, public administration and industrial relations. To facilitate progress in several new directions and provide increased resources to higher education, the Commission favoured the transfer of education to the concurrent list of subjects in the Constitution, the academic independence and autonomy of universities and the establishment of a Central University Grants Commission for allocating grants to universities.

After the report of the University Commission (1949), the next landmark in the review and reform of higher education was reflected in the recommendations of the Indian Education Commission (1966). The need for a radical reform of higher education in the context of emerging national tasks and objectives was forcefully expressed in the Resolution of the Government of India setting up the Education Commission in July 1964. The Education Commission identified some special responsibilities in the present state of India's social and educational development. The universities were exhorted to encourage individuality, variety and dissent, within a climate of tolerance, and to learn to serve as the conscience of the nation; they were invited to assist the schools in their attempts at qualitative improvements and to develop programmes of adult education in a big way, specially through the network of part-time and correspondence courses; they were asked to shake off the heavy load of their early tradition which gave a prominent place to examinations and to strive to improve standards all round by a symbiotic development of teaching and research; and they were expected to create at least a few centres of excellence which would be comparable to those of their type in other parts of the world.

To realize these special objectives and other broad functions shared in common by all universities, the Education Commission visualized a well conceived and comprehensive plan for the development of higher education, spread over the next twenty years. It directed, among other things, to the following three programmes of high priority: a radical improvement in the quality and standard of higher education and research; expansion of higher education to meet the manpower needs of national development and, to some extent, the rising social ambitions and expectations of the people; and improvement of university organization and administration.

In other matters of detail, the Education Commission updated the recommendations of the earlier University Commission and stressed the



need for speedy implementation of national policies and reforms. The recommendations of the two Commissions guided the reform and reconstruction of higher education in the post-independence period. Some of the important developments are briefly described in the following paragraphs.

**Expansion of Higher Education :** The most conspicuous feature of the development of higher education since independence has been its rapid and unprecedented expansion. From 1947 to 1973 the number of universities and university type institutions increased from 19 to over a hundred and the student enrolments from 2.5 lakhs to more than 34 lakhs. In 1947 there were only 297 arts and science colleges, 199 intermediate colleges and 140 colleges of professional and technical education ; in 1973 the colleges numbered about 4,000. The table (No. III) on the following page reflects the rate and pace of expansion.

It was not found possible to restrict and limit admissions to colleges and universities owing to the pressing social demand and the need of the backward classes for higher education. Quantitative expansion has contributed to the equalization of educational opportunity, but it has militated against the raising of standards. The challenge posed by the explosion of numbers, accompanied by dilution of standards and inadequate provision of employment opportunities, looms large and a satisfactory solution is still to be found.

**University Grants Commission :** In spite of the growing threat of numbers, some qualitative improvements were effected through the functioning of the University Grants Commission, which was set up by an Act of Parliament to discharge the union government's responsibility for the coordination and maintenance of standards of higher education. The central government places sizable funds at the disposal of the University Grants Commission which makes suitable allocations to universities for developmental programmes. The funds allocated to the Commission rose from Rs. 24 crores in the Second Plan period to Rs. 37 crores in the Third Plan, Rs. 110 crores in the Fourth Plan and Rs. 210 crores in the Fifth Plan. The Commission has enhanced the importance of higher education and launched several programmes of qualitative improvement. Notable among these activities are the development of post-graduate research and training, improvement of the salaries of teachers, strengthening of libraries and laboratories, and the provision of better amenities for students. The Commission has guarded the independence and autonomy of universities and provided academic leadership to the development of higher education. It has employed successfully the strategy of establishing and nurturing a few centres of excellence within a rapidly expanding system.

TABLE III  
Growth of Higher Education in India (1970-72)

Year	No. of Universities	No. of Affiliated Colleges	Total Enrolments
1950-51 . . . .	27	695	3,62,223
1955-56 . . . .	33	1,025	6,08,255
1960-61 . . . .	45	1,542	8,95,541
1965-66 . . . .	64	2,572	14,63,719
1971-72 . . . .	86	3,896	32,62,314

Source : University Grants Commission. The figures of enrolment include those in Intermediate classes of the Board of High School and Intermediate Education in UP in 1971-72 but exclude it in other years.

**Centres of Advanced Study :** The Education Commission thought that the most important reform in higher education was the development of a few 'major universities' where first-class post-graduate work and research would be possible and whose standards would be comparable to the best institutions of their type in any part of the world. The concept of 'major universities' was seriously considered and debated upon, but finally abandoned in favour of the more broad-based and egalitarian approach of establishing centres of advanced study in selected departments where the conditions of staffing and post-graduate research were favourable. It was feared that the 'major university' approach would relegate a large number of universities to a second and inferior rank, depleting them of talented staff who would inevitably migrate to the major universities. A large diffusion of departments as centres of excellence at as many university centres as feasible was preferred.

By 1968, thirty university departments—17 in science subjects and 13 in humanities and social sciences—were selected on the basis of their work, existing facilities and potentialities for further development to function as centres of advanced study in specific fields. These centres were intended to encourage the pursuit of excellence and to provide suitable conditions and facilities for advanced studies and research which could be utilized by talented students from other universities through a liberal system of grants and scholarships. With six advanced centres in botany, chemistry, physics, zoology, economics and sociology, the University of Delhi functioned virtually as a major university, followed by Madras, Bombay, Calcutta and Chandigarh with more than one centre.

The development of centres of advanced study had some wholesome effects. Apart from raising the standards of teaching and

research, they have reduced the need for sending students for study abroad and tended to check the so-called 'brain-drain' or flight of talent to foreign countries. Their number is, however, still very small as compared to the size of higher education and its rapid tempo of expansion. It is too early to assess the extent of their beneficial influence on other departments and universities; too often they seem to work in comparative isolation, without sufficient relationship with other departments in their own and related fields. A start on the right path has, however, been made and the experiment holds good promise for building up strong and lasting centres of excellence, permeating their influence widely and developing relations on a continuing basis with similar centres in other countries.

**Jawaharlal Nehru University :** Perhaps the most innovative event in Indian higher education in recent years was the establishment in 1968 of the Jawaharlal Nehru University in New Delhi. The university is developing its programmes on the basis of the following five broad principles :

- (i) With its nation-wide jurisdiction, the university should have a national character. While developing the institutions and centres on its campus at Delhi, it should develop some programmes and institutions in other parts of the country also.
- (ii) It should function mostly at the post-graduate and research level.
- (iii) It should develop study centres round major problems of national significance and emphasize on inter-disciplinary approach to their pursuit in preference to the traditional approach of discipline-oriented departments and programmes. These important problems could include secularism and national integration.
- (iv) It should concentrate on the development of those disciplines and programmes which are not adequately developed at present and avoid repeating the set up common to other universities.
- (v) It should strive to maintain the highest standards possible and aim at producing the highest quality of trained manpower.

To implement these principles in terms of concrete programmes, seven Working Groups in the areas of social sciences have planned for the organization of the following centres; (i) for Historical Studies; (ii) for the Study of Social Systems; (iii) for the Study of Political Development; (iv) for the Study of Regional Development; (v) for Educational Studies; (vi) for Social Medicine and Community Health;

and (vii) for the Study of Interactions of Science and Society.

In addition, two other centres for Disarmament Studies, and for Studies in Diplomacy have been planned. In the area of Natural Sciences a great deal of thought has been given to the development of a school of Life Sciences and a school of Environmental Sciences.

It is expected that some existing institutions in Delhi and elsewhere would be admitted to the complex of the Nehru University and developed in accordance with its new principles and approaches. The first institution to join the university in 1969 was the Institute of Russian Studies, set up a few years earlier. Soon afterwards the Indian School of International Studies joined the university. The university is a daring concept combining different disciplines and areas of study undertaking concrete projects and programmes required for the service of mankind.

**Collegiate Education :** An attempt was also made to upgrade higher education at the collegiate level. Approximately 4,000 colleges affiliated to universities cater for over 85 per cent of the student population in the field of higher education. With a few notable exceptions most of these institutions provided dull and mechanical teaching of what is often out-of-date information and rarely offered any stimulation of mind and independent thinking. The main defect of the collegiate system was that it held the affiliated colleges in a uniform mould of mediocrity, ridden by examination and fearful of experimentation and change.

The Education Commission recommended that where there is an outstanding college (or a small cluster of very good colleges) within a large university, it should be granted an 'autonomous' status. This would reduce the parent university's role to that of general supervision and conferment of degrees, conceding to the autonomous college the power to frame its own rules of admissions, to prescribe its courses of study and to conduct examinations. The Commission thought that it should be possible to bring at least fifty of the best colleges under this category before 1974. So far there has been little progress in this direction and the affiliated colleges continue to languish in the traditional grooves denying to the mass of students enrolled the benefits of better and more relevant education. Some improvements were effected in teaching and education by the use of better libraries and laboratories, encouragement of independent study, and reform of the examination system.

Greater success was, however, achieved in the organization of student services, including orientation for new students, health services, residential facilities, guidance and counselling, especially vocational placement, student activities and financial aid. Deans of Student Welfare were appointed to administer these services.

The working of students' unions was improved and attention was given to problems of student unrest and indiscipline. The University Grants Commission has given financial assistance for such activities. Many universities have improved facilities for games and sports and governments have launched a programme of social service which requires from students disciplined service in rural areas and town, slums. Emphasis on character-building, patriotism and moral and spiritual values is loudly proclaimed even though concrete action to promote these objectives lags behind.

**Medium of Instruction :** The question of medium of instruction in the universities has aroused heated controversy. The switch-over from English to regional languages was recommended by the Radhakrishnan Commission in 1948-49, but little progress was made in this direction. Lack of text-books and reading materials in the regional languages, the rapid growth of knowledge, especially in science and technology, and the deficiencies of language teaching retarded the progress. The use of Hindi as the all-India language met with serious opposition from non-Hindi speaking states.

The adoption of regional languages as media of instruction in universities poses formidable problems. Universities are encouraged to produce text-books of good quality for this task. Progress, however, is necessarily slow and everywhere a bilingual situation, in which both the regional language and English are used, is developing at the first degree stage. Post-graduate work continues to be done in the English medium. National institutions for development of languages have been established, notably one in Hyderabad for the English language teaching and another in Mysore for regional languages, in addition to several university departments and a few centres for Hindi and Sanskrit.

Complementary to the measures for developing Indian languages is a large programme for production of books on all subjects, including translations of standard works from English and other European languages. Facilities are provided for learning important international languages in addition to English ; many universities provide teaching in Russian, French and German. Area studies at selected centres have been organized to provide facilities for the study of languages and civilizations of important cultural areas of the world.

**Rural Higher Education :** The problems of rural India and its main occupation of agriculture have given rise to some interesting innovations in higher education. The University Education Commission had in 1949 recommended the establishment of rural colleges and rural universities to promote the advancement of rural India. A National Committee appointed for this purpose in 1954 evolved a pattern of education suited to the needs and resources of the country-side.

Consequently, fourteen Rural Institutes of High Education were organized to offer facilities to the rural youth to acquire that training and skill which would make them effective leaders of the community.

In 1966, a National Council for Rural Higher Education was constituted to advise the Government of India and the state governments on all matters concerning the development of rural higher education and to conduct examinations for the various courses approved by it. Eight different diploma, post-diploma and certificate courses of one to three years' duration were developed in subjects like rural economics, rural sociology, civil and rural engineering, agricultural sciences, etc. The curricula and the courses in the rural institutes were designed as an integrated whole comprising study, research and extension.

The programme of rural higher education, which was in the nature of pilot projects, soon ran into serious difficulties. The students demanded equivalence with university courses and degrees which the traditional universities denied them, and on completion of their courses all of them did not find work and employment for which they were trained. Consequently, some of the rural institutes reverted to the traditional pattern and became part of universities.

The eight new agriculture universities established after independence were more successful and followed the new pattern of integrating teaching with research and extension on the lines of the Land Grant Colleges of the USA. Post-graduate work became a distinctive feature of the agricultural universities which were coordinated by the Indian Agricultural Research Institute. The new agriculture universities are less conservative and tradition-bound than other universities and have already shown a capacity to change and innovate.

Some of these universities have broadened their courses and range of subjects. They have taken several research and training programmes directly related to agricultural production. Their contribution to 'Green Revolution' has been considerable, and they have influenced the growth of agricultural institutions at the university level.

**Correspondence Courses :** To meet the situation of expanding enrolments and shrinking resources, the Ministry of Education decided upon the introduction of correspondence and part-time courses. A Department of Correspondence Education was started at Delhi University on an experimental basis. The department attracted large numbers and soon it swelled into a massive undertaking. The experiment revealed that the performance of a slightly older age-group in correspondence and part-time education compared favourably with regular whole-time students, and it reduced considerably the pressure upon the university and affiliated colleges. The Delhi Institute of Correspondence Educa-

tion led the way to a large expansion of similar facilities at other universities.

The Education Commission recommended that opportunities for part-time education should be extended widely and should include courses in science and technology. The Commission estimated that by 1986 about a third of the total enrolment in higher education could be provided through a system of correspondence courses and evening colleges. The Resolution on National Policy on Education (July 24, 1968) declared that education through part-time and correspondence courses should be given the same status as full-time education. The new system has justified itself and is expected to expand rapidly.

More recently a plan to start a University of the Air, based largely upon the educational programmes of All India Radio and the new medium of television, has been evolved in consultation with specialists from Britain and United States of America. The use of broadcasting and television for strengthening education at all levels is now fully accepted and efforts to extend facilities are being made.

**Research Institutes :** Attempts to improve the range and quality of higher education are reflected in the creation of new institutions. To rectify the balance in favour of social sciences and humanities which were neglected owing to a major deployment of resources to natural sciences and technology, the Government of India established the Indian Institute of Advanced Study at Simla in October 1965. It conducts advanced study and research in social sciences, historical sciences, philosophy and literature. The Institute receives various categories of academic personnel—visiting professors, lecturers, and guest-fellows and offers facilities for research, group discussions and writing. To strengthen the social sciences, the government has also established an Indian Council of Social Sciences and an Indian Council of Historical Research which give grants to institutions and individuals and initiate important programmes of research and documentation.

Along with some centres of advanced study at universities, these new institutions have developed greater interest in social sciences and humanities. In general, however, humanistic studies have not developed to the same extent as natural sciences and technological education. There are very few centres of excellence for the study of Indian culture and civilization and the interest in social sciences and humanities lags behind the more practical and utilitarian fields.

**Higher Technical Education :** A reference must be made here to the phenomenal expansion of technical education at university level and the establishment of new institutions and programmes of study

and training in this important field. In 1945 the federal government appointed the Sarkar Committee to consider whether India should have several regional technical institutions or one central All-India technological institution with affiliated colleges. The Sarkar Committee recommended that at least four regional institutions should be established—one each in the North, East, South and West. In 1950 the first regional technological institution, the Indian Institute of Technology at Kharagpur, was founded ; and in 1956 Parliament declared it a degree-granting institution of national importance. Soon afterwards came the Indian Institute of Technology at Bombay in 1958, at Kanpur and at Madras in 1959, and at Delhi in 1961. All the five institutes were incorporated as institutions of national importance under the Institutes of Technology Act of 1961.

Each institute planned to provide residence and courses of study for 1,600 under-graduate and 400 post-graduate and research students. The education offered was not only theoretical but also practical. As the institutes, working in close collaboration with industry, developed engineering and technical courses based on the most modern technologies, they helped to lay the basis for an industrial economy. Each of the five institutes received some international aid ; the Bombay Institute from the Soviet Union, the Kanpur Institute from the United States, the Kharagpur Institute from several international agencies, the Madras Institute from West Germany and the Delhi Institute from Britain. There are, besides, two full-fledged All India Institute of Management at Calcutta and Ahmedabad and several university centres for Business and Industrial Administration. Specialized institutions in collaboration with industry have been set up to train candidates in industrial engineering, foundry and forge technology.

Although not patterned after the Indian Institutes of Technology, the Indian Institute of Science at Bangalore was designated after independence by the federal government for major development grants for advanced study and research in technology.

A two-year post-graduate course leading to the master's degree recommended for various technical fields by a Special Committee on Post-graduate Engineering Education and Research has been introduced in ten universities.



The following table shows the rapid development of higher technical education since independence :

TABLE IV

**Progress of Technical Education in India 1950-51 to 1970-71**

Years	Degree Courses Number of Institutions	Outturn	Diploma Courses Number of Institutions	Outturn
1				
1950-51	49	2,198	86	2,478
1955-56	65	4,035	114	4,499
1960-61	102	5,703	195	7,969
1965-66	133	10,282	274	17,699
1970-71	138	17,768	283	22,276

**Threat of Number :** All efforts to improve the quality of higher education were threatened by the pressure of mounting enrolments. During 1960-69, the biggest enrolment increase in India was in the sector of higher education (128 per cent) and added nearly one million students. In 1969-70 the enrolment in the University of Calcutta alone was 2,10,000 with 190 affiliated colleges. The tempo of increase continued unabated. With more than 62 per cent of its population under 25 years of age, and the pattern continuing to alter in favour of the younger age groups, the explosion of numbering at all levels of education and especially at the tertiary level in the coming decades appears truly frightening.

The educational expenditure as a percentage of national income increased from 2.4 in 1960-61 to 2.9 in 1968-69 ; but a major part of it went to meet the cost of higher education, starving the crucial sectors of elementary and mass education. In recent years India has spent proportionately more on university education than perhaps any other country in the world. With the growing need of mass education for economic and social developments this high allocation of resources to higher education is beginning to be questioned. But the limitation of enrolments through selective admissions did not prove to be practicable ; the demand for higher education seemed insatiable and students from backward areas and classes, especially from the rural areas, did catch up to some extent with more fortunate urban youth.

### III. Other Educational Programmes

#### (i) Physical Education, Games and Sports

During the post-independence period efforts were made to provide numerous facilities for students and young people to enrich their educational experience. The educational authorities aimed at the improvement of the quality of education by launching many co-curricular and extra-curricular activities designed to achieve the objectives of character-building and national integration.

*Physical Education*—Before independence little had been done to incorporate the essentials of physical education as part of general education. After the attainment of independence, the Government of India took several measures to promote physical education in the country.

In 1950 a Central Advisory Board of Physical Education and Recreation was set up. The Board prepared a national plan which was published in 1956. The national plan included model syllabuses for all stages of physical education, including a programme for the introduction of yogic exercises.

Systematic programmes were also devised for the Auxiliary Cadet Corps and the National Discipline Scheme. Another step taken by the union government was to launch an integrated programme of physical education called the National Fitness Corps for the middle and higher secondary schools. This new integrated programme replaced the old piece-meal activities from 1965-66. In this way, physical education has been introduced as one of the compulsory curricular activities for all schools from standard V or VI with a weekly allotment of three to five periods per class.

The development of physical education required teachers specially trained for carrying out the school programmes. An important step in the field of training teachers for physical education was the establishment of the Laxmibai College of Physical Education at Gwalior in 1957. For the first time, the college offered a three-year training programme at the under-graduate level leading to a degree in physical education. Soon it further developed a two-year post-graduate course leading to a Master's degree.

*Physical Efficiency Drive*—In 1959-60, the union government launched the National Physical Efficiency Drive in order to make the country conscious of physical fitness and to arouse in the people, including specially the school population, a desire to attain higher standards of physical efficiency and achievement. The drive was based on carefully graded physical fitness tests on the basis of which the winners were awarded certificates of merit. The scheme also pro-

vided for national awards which were given to persons achieving efficiency of a very high order in the prescribed test items. The drive achieved increasing popularity and, in 1964-65 more than a million persons participated and over 3,00,000 were declared winners.

*Social Service Camps*—The scheme of Labour and Social Service Camps was intended to bring to the students an awareness of the problems of social and economic reconstruction in the rural areas and to link the country-side with the urban centres. The scheme operated largely through colleges and universities and its leadership was entrusted to the teachers. In the first decade of its operation more than 12,000 Labour and Social Service Camps were held in which over one million students participated. The responsibility for organizing these camps was mainly undertaken by the Bharat Sevak Samaj and the NCC Directorate. In order to make the camps more effective the scheme was subjected to constant evaluation by the Planning Commission and the Union Ministry of Education.

*Campus Work Projects*—The union government introduced a scheme to give liberal grants to educational institutions for organizing the voluntary labour of students to construct much needed facilities in educational institutions such as swimming pools, gymnasia, recreation halls, open-air theatres, stadia, pavilions, etc. The scheme generated a great deal of enthusiasm and numerous projects were completed.

*Youth Festivals*—Under the auspices of the union government, an Inter-University Youth Festival was organized annually to promote emotional integration and to provide university students with opportunity for creative expression through discussions, debates, dance, drama, music, painting, etc. This led to the organization of inter-collegiate youth festivals by the universities with the assistance of central grants. Several youth leadership and dramatic training camps were organized to give training to teachers in organizing co-curricular activities and dramas.

A movement was started for setting up youth hostels in the country to provide cheap board and lodging facilities to young people. Financial assistance was given to educational institutions and several concessions were offered to students desirous of undertaking tours to places of historical, cultural and national importance within the country.

*National Cadet Corps*—Launched by an Act of Parliament in 1948, the National Cadet Corps gained increasing popularity as a national youth movement. To begin with, the Corps consisted of a Senior Division comprising Army, Navy and Air wings confined to universities and colleges, a Junior Division confined to schools and

a Girls' Division comprising both Senior and Junior Divisions. Soon afterwards an Auxiliary Cadet Corps was set up within the NCC as an inexpensive complement of the Junior Division, NCC. In 1960 NCC Rifles was formed to offer NCC training to a large number of college students. The officers of the Corps are drawn from the teaching staff of educational institutions. In addition to military training, the officers and cadets are required to attend Social Service Camps throughout the period of their training. The strength of the NCC expanded rapidly and today the total strength is 13,59,000.

*All-India Council of Sports*—In the pre-independence period the improvement of standards of sports in the country was left mainly to the patronage of the ruling princes. In 1954, the union government established the All-India Council of Sports to provide leadership in the field of sports and to coordinate various programmes and activities. Consequently, considerable improvements were effected in the organization of sports. To improve the standards of performance, the union government established the National Institute of Sports at Patiala in 1961. The Institute trains coaches for various games and sports. Sports and games in the universities received impetus from the inter-university tournaments and meets organized annually.

The union government offered financial assistance to the states to enable educational institutions to acquire play-fields and sports equipment. The government also extended financial grants for the construction of sports stadia.

For the first time, mountaineering was encouraged on a wide scale as a sport of adventure. The Himalayan Mountaineering Institute was set up at Darjeeling and similar institutions were planned for training people in mountaineering. Liberal grants were given to universities for organizing coaching camps in mountaineering.

In 1961, the union government instituted the Arjun Awards to honour sportsmen of the year in recognition of their outstanding contribution to different games and sports.

*Health Education*—In 1955, the union government set up a committee to work out model syllabi of health education for primary and secondary schools and teacher training institutions. The new syllabi were recommended to the states for adoption. Steps were taken to introduce school health services, especially to the 6—11 age groups.

*Moral and Spiritual Instruction*—A special committee of the Central Advisory Board of Education examined the ways and means of introducing moral and spiritual instruction in schools and colleges and made valuable recommendations. These recommendations were generally adopted by the state authorities and steps were taken to

select suitable literature on moral and spiritual values at various stages of education. Gradually, a new dimension was introduced into the content of school programmes which aimed increasingly at character building and training of personality.

*Education for International Understanding*—A significant example of the enrichment of school programmes and the curricular materials is provided by the rapid development of education for international understanding. Deriving inspiration and assistance from the work of UNESCO in this field, the Ministry of Education and the Indian National Commission for UNESCO participated in the world programme of the Associated Schools for Experimentation in Education for International Understanding. The aim of this project is to reorient established systems of education in order that the young children who are citizens of tomorrow may learn to have sympathy and understanding for the cultures of countries other than their own. They are taught to respect and work for human rights and fundamental freedoms, and also learn about the activities of the UN and its specialized agencies, including UNESCO.

About 1,000 schools and teacher training institutions throughout India are participating in this programme. The Indian National Commission has enlisted about 30 to 40 secondary schools and teacher training institutions and about 10 primary schools from each state to participate in the programme besides all the Central Schools in the country. The programme hinges round three main themes, viz., (i) teaching about the UN and its specialized agencies; (ii) teaching about other countries and cultures; and (iii) teaching about human rights and fundamental freedoms.

The Commission regularly supplies to participating schools printed and pictorial material received from UNESCO and brought out by the Commission to help them to carry out projects on the theme of international understanding. A quarterly journal entitled "World in the Classroom" is being published to service this programme.

To orient the teachers of participating institutions in the development of curricular and co-curricular activities under the project, the Commission has been organizing workshops from time to time. These workshops enable the teachers to examine teaching methods and materials suited for experimental and curricular activities in education for international understanding, to exchange ideas and experiences on the operation of the project in the classroom, and to consider ways and means for integrating the teaching of international understanding with the core subjects in the normal school curriculum. Apart from these workshops, the Commission has organized a few national semi-

nars to assess and review the impact of the programme and to consider its future development.

**Education and Social and National Integration**—The programmes described above contributed to the overall objective of making education an important and effective instrument of promoting social and national integration. Apart from these major programmes and other less important activities not listed here, the problem of directing educational activities and processes to the strengthening of national unity and the achievement of social harmony were uppermost in the minds of national leaders and policy-makers. There was hardly a national conference on education where this aspect did not appear as a prominent item of the agenda and various committees made special studies and formulated their recommendations. The Indian Education Commission (1964-66) devoted their attention to this aspect and role of education. The Commission was of the view that education should play a significant role in promoting social and national integration by emphasizing particularly the following programmes

- (a) introducing a common school system of public education;
- (b) making social and national service an integral part of education at all stages;
- (c) developing all modern Indian languages and taking necessary steps to enrich Hindi as quickly as possible so that it is able to function effectively as the official language of the union; and
- (d) promoting national consciousness.

These directions of educational development underlined by the Education Commission have influenced the process of educational change during the last decade. References to these changes have been made in connection with school education, development of languages and the enrichment of the content of education. A few words may be said here about the introduction of Social and National Service Scheme.

**(ii) The National Service Scheme** : In the new socio-political and developmental contexts emerging after independence, leaders, administrators and educators began to raise serious doubts about the functional value and relevance of higher education for solving many problems confronting the nation. Review committees, planning bodies and education commissions were entrusted by the government to study and recommend ways and means of making higher education a more effective medium of social change and economic development. By and large the recommendations of these *ad hoc* committees and commissions could not be implemented by the government for paucity of

financial resources, which continue to act as a major constraint. The growing realization of the limited functional use of higher education and the continuing gap between the elite and the masses compelled planners and administrators to formulate a pilot scheme which, by involving students and teachers on a voluntary-cum-selective basis, might give a much-needed community and service orientation to higher education to bridge the gap between the towns and rural areas. This concern of the government gave birth to the National Service Scheme in 1969—the Gandhi centenary year.

The scheme was designed to impart education through community service. It seeks to involve student youths to work with and among people, to initiate social action projects and thus enhance their knowledge and skills through a confrontation with reality. It affords scope to learn and practise the application of knowledge and skills and test their validity in solving community problems, and to prepare young people for assuming democratic leadership and responsibilities in a constructive manner for new tasks of building the nation.

In its seven years of operation, the scheme has brought about significant attitudinal changes amongst the volunteers who have actively participated in its regular programmes, such as institutional projects, evacuee camps, and special camping programmes like Youth Against Famine, and Youth Against Dirt and Disease. Some tangible community assets have been created with the help of these nationwide programmes and local community participation. More important than these material gains has been the undoubted enrichment of the educational experience through a new, much-needed and effective dimension stressing upon work experience and disciplined and co-operative action.

The programmes under the National Service Scheme were related to various aspects of community life allowing for ample scope for volunteers and considerable flexibility in selecting such tasks which interest them most. Educational programmes included assistance to pupils, organization of science clubs, book banks, exhibitions and drives to raise funds for poor students. Adult education and non-formal education programmes are also concerned with the older members of the community. Projects in the area of recreation include collection of toys and pictures for children, organization of play groups, competitions, charity shows, hobby clubs, craft training, dramatic groups and inter-community celebrations. Programmes in the field of health cover such activities as visits to wards, recreational programmes for long-term patients, guidance service, donation of blood, organization of drug and eye banks and follow-up of discharged

patients. Camp projects include building of durable community assets, improvement in school enrolment, literacy, sanitation, and removal of social and economic disabilities through public education. Students have the option to work in the regular institutional projects, urban or rural projects and in special camps. They may coordinate their work with the local community institutions, governmental departments and the Nehru Yuvak Kendras which have been established to organize non-student youth at the district levels.

In the Fifth Five-Year Plan special emphasis is laid by National Service Scheme Units on adult literacy (5 adults will be made literate by one volunteer) ; integrating National Service Scheme with the curricula, through the assistance from the UGC, coordination of National Service Scheme with the planning forums, establishment of permanent rural centres, and launching of special drives to enrol girl volunteers in greater numbers.

The programme has made a promising start and the achievements of the National Service Scheme have been quite encouraging in a short span of six years. The Scheme has undoubtedly fostered a new sense of discipline and social responsibility among the participant youth. It remains, however, an experimental programme still operated as a pilot project on a limited scale. The need is clear and pressing and the value of the programme is now well-established. It is only a problem of finding sufficient organizational and financial resources to make the programme universal at the level of higher education. Starting with an enrolment of 40,000 university students in 1969-70, the number increased to 1.50 lakhs during 1973-74. A considerable expansion of both number of volunteers and programme activities has been planned for the Fifth Plan period.

(iii) **Basic Education** : The most significant effort to improve the content of school education was the introduction of the principles of basic education propounded by Mahatma Gandhi. Basic education aimed at the transformation of the traditional pattern by correlating learning with physical and social environments of the child and craft activity. The programme of work in the school was reorganized to promote right habits of work, spirit of cooperation, self-help, dignity of labour and other desirable qualities to make the growing child a useful member of the society. Basic education was accepted as the national pattern of education at the elementary stage.

During the First Five-Year Plan a large number of basic institutions were developed and in 1956 the union government set up a National Institute of Basic Education at New Delhi. The Institute conducted research studies and investigations of various aspects of



basic education and started a number of Extension Service Centres in several teacher training institutions. Gradually, the government adopted the policy of introducing the principles of basic education in all elementary schools instead of continuing a distinction between traditional schools of the old type and the new basic schools. Achievement in the spread of basic education fell short of plans and expectations, and the introduction in 1956 of a modified scheme called "Orientation to Basic Education" amounted to a limitation of the earlier vistas. Even the limited programme could not be carried out satisfactorily and the fate of basic education gave rise to a heated controversy among educationists. In spite of many difficulties and some failures the concept of basic education achieved a measure of success by finally discrediting the old concept of book-centred literary education and bringing to the forefront the new view that the education of children at the school stage should stress learning by doing and provide appropriate educational activities, opportunities for manual labour and participation in socially productive useful work. The influence of the ideas of basic education on educational thought continues to provide the most powerful motive force in the transformation of the content of school education.

#### (iv) School Improvement Programmes

(a) *Teaching of Science*—Since independence, serious efforts have been made to improve the teaching of science in schools. The aim is to provide facilities for teaching of science as an elective subject in as many schools as possible and general science to all students who do not offer elective science as one of their subjects.

A department of science education was set up in the National Council of Educational Research and Training (NCERT). Through the agency of this department, steps were taken to revise science curricula, prepare new text-books, train teachers and prepare science apparatus and equipment for general use in all schools. Summer institutes to impart to science teachers the latest advances in various branches of science and the latest techniques in science teaching were organized by the NCERT.

The union government gave substantial assistance to the state governments for equipment of science laboratories and for strengthening library service in schools. The UNESCO team of experts made a survey of science education and their report was utilized in preparing a comprehensive plan for the development of science education in the country during the Fourth Plan period.

Improvements have been initiated for the reform of the examination system also. A Central Evaluation Unit was set up for this purpose

and in course of time State Evaluation Units were established to implement the reform in the examination system.

(b) *Audio-Visual Aids*—Audio-visual aids and methods have played an impressively important role in school education. All India Radio broadcasts special programmes for schools and has also started a television programme for the Delhi area. The National Institute of Audio-Visual Education established by the union government organizes training courses for teachers and maintains a large film library for service to the schools.

Several measures have been taken to improve the supply and quality of text-books. Before independence, school text-books were generally produced by private publishers. Often they were inadequate and expensive. Gradually the government began to nationalize the production and distribution of school text-books, beginning with the primary stage. The measure has resulted in cheaper and better produced text-books, although certain difficulties were encountered at the initial stages. State governments have also set up text-book bureaus and committees.

(c) *Mid-day Meals Programme*—In pursuance of the recommendations of the School Health Committee, a centrally-sponsored scheme of Mid-day Meals was formulated and given effect from 1962-63. The programme is now in operation in all states except Assam, Bihar, Arunachal Pradesh, Himachal Pradesh, Jammu and Kashmir, Manipur, Tripura, Nagaland and Meghalaya. Bihar, where the programme was being implemented till recently has, however, opted out of the scheme from January 1, 1971. Some union territories like Delhi, Dadra and Nagar Haveli, Goa, Daman & Diu are also having school meals programme. The number of beneficiaries is approximately 119.48 lakhs, both under the school-going and pre-school categories.

(v) *Girls' Education* : Owing to the special socio-economic situation in the country and the policies inherited from the colonial period, the education of girls and women lagged far behind that of the boys. Concerted efforts were made after independence to advance the education of girls and women. In the first decade after independence, the enrolment of girls almost doubled itself. Special programmes for expanding and improving the education of girls were launched in the Third Plan period. These special programmes included measures such as the appointment of school mothers, grants of scholarships and stipends, special prizes and free education to certain categories of girls. In secondary schools provision was made for girls' hostels and better transport.

The following table indicates the progress made in the education

of girls since independence :

TABLE V  
Education of Girls and Women  
(in lakhs)

	Enrolment			
	Primary School Classes (I-V)	Middle School Classes (VI-VIII)	Secondary School Classes (IX-XI)	Colleges and Uni- versities (General Education)
	2	3	4	5
1946-47	36.8 (37)	3.2 (18)	0.7 (12)	0.16 (10)
1950-51	53.85 (39)	5.34 (20)	1.66 (15)	0.37 (14)
1955-56	76.39 (44)	8.67 (25)	3.29 (21)	0.75 (17)
1960-61	113.47 (48)	16.70 (32)	5.56 (23)	1.33 (22)
1965-66	182.93 (57)	28.46 (37)	12.05 (30)	2.91 (28)
1968-69	199.36 (59)	34.93 (39)	15.79 (32)	4.37 (30)
1973-74	244.01 (62)	45.37 (43)	23.40 (36)	9.0 (31)

NOTES.—(1) Figures in parenthesis indicate the number of girls for every 100 boys enrolled.

(2) Figures in the last column relate to enrolments at under-graduate, post-graduate and research stages in general education—arts, science and commerce courses.

SOURCE—(1) Figures for school enrolment in 1950-51, 1960-61, 1965-66, 1968-69 are from Ministry of Education.

(2) Figures for school enrolment in 1973-74 (target) are from 'Draft Fifth Five-Year Plan, 1974-79, Vol. II. p. 197.

(3) Figures of enrolment in colleges and universities are from *Education in India* for various years brought out by the Ministry of Education, New Delhi.

(vi) **Education of the Handicapped** : There was very little interest in education of the handicapped before independence and very few facilities existed for the education and welfare of the blind, the deaf and the orthopaedically handicapped persons.

The most outstanding achievement in the education of the blind since independence has been the adoption of the Bharati Braille, a common Braille code for all Indian languages. The code was framed in the light of the recommendations of three international conferences convened by UNESCO at the suggestion of the Government of India.

All schools for the blind in India are now using a common code. Before independence eight different codes were in use. In 1947, India had about 50 schools and other establishments for the blind. During the past 25 years this number has arisen to 140.

A national centre for the blind was developed by the union government at Dehra Dun. In 1951, the Union Ministry of Education established a Central Braille Press at Dehra Dun to undertake the publication of Braille literature in Indian languages. Following this initiative several regional Braille presses were established in different parts of the country. A national library for the blind was added to the institution at Dehra Dun.

To extend facilities for the care of the handicapped the union government gave liberal assistance to voluntary organizations. Efforts were made to explore facilities for the employment of the handicapped and a number of special employment exchanges for them were established at different centres. The most important trend in the education and training of the handicapped was to integrate the handicapped wherever possible into the normal activities of the larger community.

**(vii) Education of Scheduled Castes and Scheduled Tribes :** Rigorous efforts to eliminate the evil of untouchability included a large programme for accelerating the pace of progress of education of the hitherto deprived and suppressed sections of the community. At all stages of education the enrolment of students from the scheduled castes increased appreciably but wastage rates continued to be high. Similar programmes were adopted for the spread of education among the scheduled castes for representation in parliament and local bodies and employment in public services have also contributed to their educational progress. A large programme of scholarships and other facilities helps the students belonging to the scheduled castes and the scheduled tribes to pursue their studies up to university stage. In most of the hostels set up by government free board and lodging is provided to students from these groups. The table (No. VI) on the following page reflects the proportion of enrolment of scheduled castes and scheduled tribes to total enrolment for the decade of the sixties.

**(viii) Scholarships :** In order to discover and nurture talent, a sizable programme of scholarships at secondary and university stages was introduced. Financial allocations for this purpose were increased progressively by the state and the central governments. Government of India introduced two major programmes of scholarships for enabling promising children from rural areas to complete secondary education in good schools and assisting meritorious students from economically handicapped families to pursue studies at the university stage. Several

other schemes such as scholarships for study overseas, scholarships for study in residential or public schools and scholarships for children of school teachers were launched.

TABLE VI  
Proportional Enrolment of Scheduled Castes and Scheduled Tribes

Sl. No.	Type of Institution	Proportion of Enrolment of Scheduled Castes to total Enrolment			Proportion of Enrolment of Scheduled Tribes to total Enrolment.		
		1960-61	1964-65	1967-68	1960-61	1964-65	1967-68
1	2	3	4	5	6	7	8
1.	Pre-Primary Schools .	5.3	5.5	6.0	3.5	3.4	2.9
2.	Primary/Jr. Basic Schools	12.0	12.9	13.0	5.0	5.5	5.3
3.	Middle/Sr. Basic Schools	8.7	9.4	9.2	3.3	3.1	3.5
4.	High/Higher Secondary Schools . . . . .	7.1	7.7	7.7	1.3	1.6	1.7
5.	Universities and Colleges for Education . . . .	5.0	4.5	4.6	0.9	1.1	1.1
6.	Colleges and Schools for Professional and other Education . . . . .	11.8	8.3	11.1	5.5	4.5	6.0
TOTAL . . . . .		10.4	10.8	10.8	4.0	4.2	4.1
Proportion of scheduled castes/scheduled tribes population to total population . . . . .		14.0			6.8		

SOURCE.—Ministry of Education form A-1, for the years concerned.

NOTE—(i) The earliest year for which the data is available (though a little incomplete) is 1959-60 and the latest year for which the data is available is 1967-68.

(ii) We expect that the proportion of scheduled castes and scheduled tribe students in the total enrolment should be the same as that of the scheduled castes and scheduled tribes population in the total of the country. It will be thus seen that:

- It is only at the primary stage that the education of scheduled castes and scheduled tribes is nearing equality with other.
- As one goes up the education ladder, the proportion of scheduled castes and scheduled tribes enrolment declines steeply. This shows that the waste rates are higher for scheduled castes and scheduled tribes.
- On the whole, the scheduled tribes are even more backward than the scheduled castes. It also appears that the rate at which scheduled castes and scheduled tribes are gaining equality is slow.

(ix) **Social Education, Adult Education and Literacy :** The independence movement had laid great stress on programmes of liquidating mass illiteracy in the shortest possible time. The adoption of a democratic constitution and universal adult franchise pointed to the urgent need of programmes for educating the adults for responsibilities of democracy and new tasks of national development. The concept of adult education in the Indian context was broadened to include several forms of non-formal education for citizenship which was styled

as social education. Thus together with the programmes of social education, adult education and literacy, supported by the massive task of introducing universal, free and compulsory education at the elementary stage, constituted the totality of social action for mass education. Unfortunately, sufficient resources for adult education and literacy were never available owing to the mounting costs of elementary, secondary, university and technical education which received higher priority. Progress in the fields of adult education and literacy was slow and halting, meagre in the context of massive needs, and varied from one area to another, depending upon the capacity and commitment of local leadership. On the whole, the results achieved were totally inadequate and the problem of mass education continues to loom large, waiting now for the immense potentialities of the new technology of communication such as radio, film and television.

The literate population of India in 1947 was only 14 per cent. The census of 1971 recorded it as 29 per cent. The doubling of the percentage of literacy in 25 years is not impressive especially when this growth of less than 1 per cent per year of literacy is pitted against the population growth of about 2.5 per cent per year, resulting in the total number of illiterates being more now than in 1947. Clearly a great national effort to liquidate illiteracy did not emerge.

The following table reflects the growth of literacy in India between 1951 and 1971, underlining the slower progress in case of the female population :

TABLE VII  
Literacy\* in India, 1951—1971

	1950 (000's)**			1971 (000's)		
	Males	Females	All Persons	Males	Females	All Persons
1	2	3	4	5	6	7
Literate . .	45,610 (24.9)	13,651 (7.9)	59,261 (116.6)	111,778 (39.5)	48,731 (18.5)	160,509 (29.4)
Illiterate . .	137,723 (75.1)	159,895 (92.1)	297,618 (83.4)	171,278 (60.5)	215,169 (81.5)	386,447 (70.6)
TOTAL . .	185,528	175,566	361,089	283,056	263,900	546,956

NOTES.—1. Excludes Jammu and Kashmir, Goa, Daman and Diu, Pondicherry (Karaikal Mahe and Daman), NEFA, major portion of Nagaland and Dadra and Nagar Haveli.

2. Figures within parenthesis indicate percentages.

\* The test for literacy, according to census definition, was satisfied "if a person could with understanding, both read and write. The test for reading was ability to read any simple letter either in print or in manuscript. If the person could read one of the examples in the enumerators' handbook with facility, he was taken to have passed the test for reading.

**(x) Art Education :** The concept of art education gained ground after independence and many specialized institutions and departments were set up ; but the progress was slow and uneven, and in the school system it could only be introduced in a small number of good schools for the children of the affluent groups. The potentialities of art education for all children and the motivated youth remain to be tapped, though the importance of art education is now generally realized. Here too the paucity of resources inhibited reform.

**(xi) Book Promotion and Copyright :** The rapidly growing requirements of reading materials at all levels of education and literacy and the national policy of developing Indian languages as media of instruction and vehicles of cultural dissemination led to increasing attention given by the government to programmes of book promotion. In 1957, the Union Ministry of Education set up a National Book Trust as an autonomous organization for the production of general reading materials of good quality at reasonable price to supplement the knowledge of readers lacking the advantage of higher education. Apart from several promotional activities to foster book consciousness among the general public, the Trust publishes such books as may not be attractive to commercial publishers in various languages for both adults and children. Notable among these series of publications are : India—Land and People; National Biography; Popular Science; Outstanding Books of the World ; The World Today ; Folklore of India ; and Young India Library.

In 1967 the Government of India set up a National Book Development Board as an advisory body to assist in developing adequate programmes for the production and distribution of books and for fostering a balanced growth of the book industry.

At the international level, India played a prominent role in evolving the Universal Copyright Convention and its subsequent revisions at the initiative of UNESCO. Under the provisions of the Copyright Act 1957, a Copyright Board and a Copyright Office were set up.

The test for writing was ability to write a simple letter. To qualify for literacy, a person was not required to pass any standard examination. On the other hand, literacy was recognised as something a man still possessed and actively put to use and it was in this general practical sense that it was uniformly applied. The results are thus comparable from area to area. If a person could both read and write and had also passed a written examination or examination as proof of an educational standard attained, the highest examination passed was to be recorded," *Census of India*, 1961 Vol. I, page XIV.

\*\* The total population figures are in absolute number, whereas the figures for literates and illiterates are estimates on the basis of the figures obtained from the Census Reports, which were based on a 10% sample of the total population. In 1971 Census, detailed literacy census was conducted on 10 % sample.

Apart from systematizing the law and practice of copyright at the national level, the Government of India strove to secure at the international level important rights and facilities for the production and translation of books in order to enrich Indian languages and to provide suitable readings and scientific literature to the students and the general public.

(xii) **The Problem of Resources :** Mention has been made earlier about the languishing of several essential programmes such as elimination of illiteracy for want of adequate financial resources. The problem of resources continued to bedevil the plans and efforts of policy-makers, educationists and administrators ever since independence. Impressive gains were made and large increases of educational budgets took place, but the amounts available were always short for providing even essential needs for additional enrolments. Consequently, mass education and several worth while programmes of qualitative improvement suffered. The problem of priorities and allocation of resources to different sectors and regions added to the complexity of the situation.

The total educational expenditure rose from Rs. 144 crores in 1950-51 to about Rs. 1,200 crores in 1973-74. Some attempts were made to supplement the funds available through community support, mainly in the form of provision of land, buildings and equipment, and services like school meals. But the total response of the community was small and uneven.

The following reflects the expenditure on education in the successive Five-Year Plans (1950—1974) :

TABLE VIII

## Planwise Expenditure on Education by Stages

(Rupees in crores)

Stage	First Plan	Second Plan	Third Plan	Annual Plan Years	Fourth Plan	Total
1	2	3	4	5	6	7
1. Elementary Education	85 (56)	95 (35)	178 (30)	65 (20)	239 (30)	622 (31)
2. Secondary Education	20 (13)	51 (19)	103 (18)	53 (16)	140 (18)	367 (17)
3. University Education	14 (9)	48 (18)	87 (15)	77 (24)	195 (25)	421 (20)



1	2	3	4	5	6	7
4. Teacher Education	*	*	23 (4)	9 (3)	*	32 (2)
5. Adult Education	5 (3)	4 (1)	2 (0)	2 (1)	4.5 (1)	18 (1)
6. Cultural Programmes	**	3 (1)	7 (1)	4 (1)	12 (2)	26 (1)
7. Other Educational Programmes	9 (6)	23 (8)	64 (11)	31 (9)	89.5 (11)	216.5 (10)
Total General Education	133 (87)	224 (82)	464 (79)	241 (75)	680 (87)	1742 (82)
8. Technical Education	20 (13)	49 (18)	125 (21)	81 (25)	106 (13)	381 (18)
Grand Total Education	153 (100)	273 (100)	589 (100)	322 (100)	786 (100)	2123 (100)

SOURCE.—(1) *Education in the Fifth Five-Year Plan (1974-79)*, Ministry of Education & Social Welfare, 1972, for the First, Second and Third Plans.  
 (2) *Draft Fifth Five-Year Plan (1974-79)*, Planning Commission, for the Fourth Plan.

NOTE.—Figures in parenthesis indicate percentages of total.

\*Included under Elementary/Secondary Education.

\*\*Included under Other Educational Programmes.

N.B.—These do not include allocations for education under other ministries such as Food & Agriculture, Health or Labour or Employment.

The allocations for the three main levels of education are shown in the following table :

TABLE NO. IX

## Total Educational Expenditure (1950-74)

Object of Expenditure	(Rupees in crores)					
	1950-51	1955-56	1960-61	1965-66	1968-69	1973-74 (Estimate)
1	2	3	4	5	6	7
<b>Direct.</b>						
1. Elementary Education	44.30	69.38	116.96	214.14	319.75	500
2. Secondary Education	29.07	45.72	83.52	147.84	229.65	350

1	2	3	4	5	6	7
3. Higher Education	17.68	29.71	56.88	131.81	213.86	260
TOTAL (Direct)	91.05	144.81	257.36	493.79	763.26	1110
4. All Indirect Expenditure	23.33	44.85	87.02	128.23	135.10	240
Grand Total	114.38	189.66	344.38	622.02	898.36	1350

SOURCE.—Ministry of Education, Form A.

(xiii) **Educational Research and Training of Teachers :** The establishment of the National Council of Educational Research and Training (NCERT) in 1961 was a recognition of the importance of education as a significant area of study which had been grossly neglected in the past. The Council undertakes, aids and promotes research in all branches of education organizes advanced pre-service and in-service training and disseminates improved techniques and practices. It also organizes extension service for institutions engaged in educational research and training of teachers. The research and teacher training programmes of the Council are developed through the National Institute of Education at New Delhi, four regional colleges of education at Ajmer, Bhubaneshwar, Bhopal and Mysore. The Institute's programme is at present being implemented by its constituent units—Development of Teaching Aids, Field Services, Basic Education, Adult Education, Educational Psychology and Foundation of Education, Science Education, Social Sciences and Humanities, Educational Administration, Pre-Primary and Primary Education, Teacher Education and Text-books, and units for Educational Survey and Publications. Council brings out three periodicals : *School Science*, *Journal of the National Institute of Education*, and a half-yearly research journal *the National Institute of Education*, and a half-yearly research journal *Indian Educational Review*.

The National Council of Educational Research and Training with its constituent units and programmes of research, study, training and publications have broken new ground and their example has to some extent influenced developments in the states, which have set up similar institutions at the state level. It has upgraded educational research and teacher education. But the hope of the Education Commission that strong inter-disciplinary studies of education would develop at universities has not been fulfilled. In general, universities remain indifferent to educational research and training.

Apart from the establishment of the National Council of Educational Research and Training and its increasing influence on school

education and the training of teachers in the states, the union government organized and encouraged programmes of in-service training of teachers, specially emphasizing the areas of science, mathematics and languages. By and large the training of teachers followed old, established patterns, reflecting rapid quantitative growth without any significant changes in the content and quality of training programmes.

With the acceptance of the objective of universal, free, compulsory elementary education, the task of obtaining an adequate supply of suitable teachers assumed enormous proportions. The position in 1947 was depressing. As against the requirement of 2.8 million teachers for universal elementary education, only about 5,61,000 were available. In 1949-50 there were 5,17,890 primary, 78,865 middle and 1,16,157 high school/higher secondary teachers. Of these, 3,02,050 primary, 41,478 middle and 62,247 high school teachers were trained. In other words, 41.7 per cent teachers in primary 47.4 per cent in middle and 46.4 per cent in high schools had received no professional preparation. As against this bleak picture, the position in 1970-71 shows a total number of 22.99 lakh school teachers, the percentage of women teachers being 23.8 and that of trained teachers 82.1

The following table indicates the total strength of trained teachers and their percentage :

TABLE X

## Trained Teachers and Their Percentage

(In lakhs)

Year	Teachers	Trained Teachers	Untrained Teachers	Percentage of Trained Teachers
(1)	(2)	(3)	(4)	(5)
1950-51	7.50	4.30	3.20	57
1955-56	10.29	6.25	4.04	60
1960-61	13.78	8.92	4.86	64
1965-66	20.00	14.00	6.00	72
1970-71	22.99	17.24	5.75	75

The table below reflects the number of training schools and colleges :

TABLE XI

## Number of Teachers' Training Institutions

Year	Teachers' Training Schools	Teachers' Training Colleges
(1)	(2)	(3)
1950-51 . . . . .	782	53
1955-56 . . . . .	930	107
1960-61 . . . . .	1,138	478
1965-66 . . . . .	601	1,272
1971-72* . . . . .	357	1,139

\* *Educational Statistics at a Balance, 1972, No. 7.* Ministry of Education and Social Welfare, New Delhi 1973.

Apart from the training and supply of teachers, their status, emoluments and role in society were frequently discussed. Considerable increases were effected in the emoluments of teachers at all levels and schemes such as the national awards for teachers were aimed at the enhancement of their status and role in society. Federations and associations of teachers at the national and state level were organized to safeguard the rights and interests of teachers.

(xiv) **Policy-making and Educational Administration** : While the Constitution vests most of the authority in the field of education in the states of the Indian union, the making of national policies became the responsibility of the union government. The Ministry of Education and the Planning Commission at the centre played a leading role in evolving plans for educational development and evaluating the pace of progress. The method of consensus was necessarily employed for the making of national policies through the working of national organs such as the Central Advisory Board of Education and the All India Council of Technical Education, periodical conferences of Ministers of Education and senior officials of the central and state governments, conferences of vice-chancellors and annual gatherings of teachers. The functioning of national commissions, councils and committees is always a joint enterprise of the centre and the states. However, the capacity of the centre to generate funds was the most decisive factor in the formulation and implementation of national policies. An attempt to establish an all-India service on the lines of the old Indian Education Service did not succeed.

#### IV. A General Appraisal

Considering the lack of financial resources and the problems created by massive expansion of numbers, it is surprising that a number of qualitative improvements took place during the last quarter of a century. The deficiencies of quality and standards are many and are frequently deplored. It must not, however, be forgotten that a careful scrutiny of the educational system was conducted in depth by a number of commissions and committees and not all their recommendations remained unimplemented. The introduction of techniques and methods of basic education at the primary level, the diversification of courses at the secondary level, the improvements effected in the content and teaching of science at all levels and the spread of engineering colleges with modern equipment and curricula are some of the examples of qualitative improvements.

Teacher training improved slowly but appreciably, and at the level of higher education, centres of advanced study were developed so that Indian students might receive training of the highest quality at home instead of going abroad for advanced study.

It is true that all that was foreseen could not be accomplished and many deficiencies which might have been removed continued to exist. For example, little improvement has been effected in the examination system and the changes in curricula and methods of teaching were not sufficient. These deficiencies were partly due to the fact that sufficient funds and efforts were not available and planning in education and the administrative structures remained almost unchanged. One tangible gain was the formulation of educational priorities for evolving right policies for the future. The increase of enrolments itself was a beneficial achievement for the spread of enlightenment among areas and populations which had been neglected in the past and for the uplift of peoples held in servitude for countless generations.

Criticism is often levelled at the low standards of education in both schools and colleges. In view of the rapidity of expansion it was natural that a fairly large number of substandard institutions should come into existence. Students going to new schools were also handicapped by the illiteracy of their parents and the living conditions at home. The standards of some of the new institutions and the new groups of school-goers were indeed low; but the very fact that the facilities for schooling were provided where none had existed before was a tangible gain.

The most significant achievement of educational progress as indeed of other social advances since independence has been the application of the democratic method to educational change directed towards the

attainment of democratic principles such as equality of opportunity, freedom and diversity. While there has been a continuing search for evolving national policies and devising national instruments of action, a great deal of initiative for planning and implementation has been conceded to local authorities. The principle of decentralization was thus followed in planning and administration.

The principle of equality of opportunity was applied in such policies as discriminatory action in favour of the backward classes and special measures for the improvements of educational facilities for women and the rural population. The participation of important sections of population was secured in the launching of educational reforms. In recent years, the young people have participated increasingly in the functioning of educational institutions.

Experimentation and diversity were encouraged at all levels and the educational system is far from a monolithic structure aiming at uniformity and centralized control. The pursuit of socialistic policies has resulted in the expansion of state action and consequently private and voluntary action decreased in quantity. In spite of this trend, an appreciable sector of the educational system is still supported by private and voluntary action and some of the best institutions are run by non-governmental organizations.

In this context, a significant gain has been the spread of the secular spirit in education. Before independence communal institutions were operated by religious and sectarian organizations. This tendency undermined the spirit of national unity and accentuated religious and communal differences. In the period after independence new institutions were established by the state and also increasingly by secular organizations. Even the institutions based on religious and communal affiliations became more and more secular in character and outlook.

The critics of the educational system have often deplored the persistence of its colonial character. Such a criticism is only partially valid because the pace of reform was often slow and inadequate. It is, however, not correct to say that the Indian educational system after 27 years of independence is still colonial in character and outlook. Indeed it is now one of the largest educational systems in the world aiming at the achievement of new goals of nationalism, democracy, scientific progress, economic and social developments and modern values.

This spirit of change and renovation has been reflected in the educational experience of free India and new goals and objective for the future have been identified. The supreme importance and urgency of educational reform is now accepted by all and this itself is a great gain if it can be matched with sufficient will and capacity

for adequate action. A recent document prepared by the Ministry of Education and Social Welfare for the consideration of educational developments in the Fifth Plan period states the following objectives for the transformation of the educational system :

(i) To cultivate the basic values of humanism, democracy, socialism and secularism.

(ii) To inculcate the love of motherland, and a proper pride in our cultural heritage and achievements.

(iii) To strengthen national integration which implies the development of proper non-communal attitudes, the subordination of all narrower loyalties to the supreme loyalty to the nation, and, in a plural society like ours, the development of capability for tolerating difference and a readiness to collaborate with others in pursuit of shared goals.

(iv) To accelerate the process of modernization and the development of a scientific temper and outlook.

(v) To promote productivity through the teaching of technical and technological skills, inculcation of the dignity of manual labour, willingness to work hard, cost-consciousness and entrepreneurship.

(iv) To bring the elite and the masses closer together so that the former retain their roots deep in all sectors of society and become committed to the service of the people.

These are the same principles emphasized by a number of commissions and committees during the past and especially highlighted in the *Report of the Indian Education Commission*. The most important need is the improvement of curricula which determine the content of education. The main programmes for the modernization of curricula are outlined as follows in the government policy paper :

(i) The inculcation of values should be emphasized at all stages.

(ii) The cultural content of education needs much greater emphasis.

(iii) The story of our struggle against British imperialism, the achievements of the post-independence period, our national objectives and programmes of development with special emphasis on popular participation, and the national problems that face us in different fields, should be taught at all stages as a part of 'education for citizenship', the courses being graded to suit the age and maturity of the students.

(iv) At the primary stage, the curricula should be closely related to the environment so that they appear relevant and significant to the children. In addition to the three R's, programmes of work experience related to local programmes of development and of social service related to the welfare of the local community and its needs will have to be included. The improved teaching of languages, science and mathematics should be emphasized.

(v) The alienation from manual labour takes place most conspicuously at the secondary stage. It is also at this stage that the white-collar attitudes are strongly developed. Some steps to counteract these trends would have been taken by the introduction of work experience and social service in the curricula of classes I-VIII. In addition, it is absolutely essential that the teaching of a craft for a trade is made obligatory on all students in classes IX and X so that they engage themselves meaningfully in production and socially useful work.

(vi) At the higher secondary stage, the curriculum should broadly follow the lines recommended by the Education Commission. There would be two main streams at this stage. The first would prepare students for the university and include a number of elective courses covering mathematics, natural and social sciences and humanities. A fairly wide combination of courses, cutting across traditional boundaries, should be permissible. The other stream should be vocational and prepare students for careers in agricultural, industrial and services sectors as well as for various programmes of self-employment.

(vii) At the university stage, there is an even greater need to restructure and improve the existing courses on the principles of relevance, flexibility, diversification and modernization. Several of our courses are out-dated, in some cases by as long as 30 to 50 years. It is essential that these are all updated and brought in line with the latest developments in the field.

(viii) Most of our courses are still discipline-oriented and traditional so that they tend to ignore the inter-disciplinary fields and problem-oriented studies which are now assuming increasing significance. It would, therefore, be a great improvement if a flexible system of courses is designed so that a student can choose, within a broad framework, such courses as will be in keeping with his needs and capacities. Perhaps the introduction of short semester length courses will offer each student a greater possibility of devising a combination of studies that is most suited to his needs and abilities.

(ix) Special attention will have to be given to the restructuring of courses at the under-graduate stage. The first degree should provide a broad general education with three components. The first component is an awareness of the world around, a sense of values, and a commitment to the ideals and practical goals which the country has placed before itself. This implies a knowledge of human affairs at the level of individual, of society and of history, the main elements of the social and economic struggle, our Constitution and our plans, field work and social service, and elements of philosophy, fine arts and literature. The second component is the promotion of communi-



cation skills which implies training in language, speech and writing. And the third component is an academically-oriented study of some selected subjects.

(x) At the post-graduate stage, greater emphasis will have to be placed on promotion of research and on a symbolic combination of teaching and research.

The policy paper continues to observe that the modernization of curricula should be accompanied by the introduction of new teaching methods, reform of the examination system, improvement of production and supply of text-books and the strengthening of the professional training and involvement of teachers. Such a transformation in the educational system based realistically on the experience of the 27 years after independence would go a long way towards bringing education into line with social, economic, scientific and technological developments in society.

It is necessary now to aim at a programme of lifelong education with the use of all the means available, especially the new technologies, the mass media and all forms and patterns of non-formal education. This will require immense efforts of planning and management and the deployment of adequate resources, both material and intellectual. In particular, research into educational problems need to be directed to innovations which are essential to change the present state of affairs.

In short, the Indian society is now poised for further stupendous effort directed to the better planning and management of the educational system, a deeper participation of all in the process of change and development of a more relevant institutional infra-structure reflecting a larger variety of institutions, experimentation and flexibility of action and meaningful linkages of education with other sectors of economy and social life.



## CHAPTER VII

### CULTURAL ACTIVITIES

Countrywide links through transport and communications are among the most important developments that can be traced back to the beginnings of planned growth since 1951. These have been extended far and wide and connect linguistic and cultural centres. There naturally is much greater and faster mobility now of people and goods or services. Of equal significance or more has been the two-way traffic of diverse economic and cultural activities that have penetrated or emanated from economically and culturally homogenous regions.

Economic development has opened up local cultural activities to a wider national view. To mention only one fact, thousands of students travel and trek these days during summer holidays in areas hitherto unknown. Something of the seemingly strange cultural activities in the new areas they visit must rub off on to them. When they return home, they bring the memories and mementoes which enrich their individual lives. They feel encouraged to experiment with new ways of artistic and cultural expression. Information and experience about cultural forms, native to particular groups and areas, are shared. This becomes a growing social asset.

Such familiarity and interests deepen when there are cultural exchanges. Groups travel and give performances in other parts of the country. There are exhibitions from distant centres of individual artists or schools of painting and of books written, printed and published. Translations of poetry in other languages are brought out, or the poems recited. A novel or a play is rendered from one medium of communication into another—the novel becomes a radio play, a play is filmed or televised, and all this sometimes in languages other than those in which they were originally written. This is how cultural activities cease to be ripples in a pool of regional culture but become a movement. As they transfer themselves to different audiences and cultural climes, they join and broaden the national heritage and rediscover some of their common sources of inspiration.

In the past twenty-five years large masses of people have thus been able to understand and appreciate cultural forms which earlier remained the preserve of a few devoted practitioners who enjoyed local patronage and support. This has happened mainly on account of the fact that there is now much greater mobility of persons as well as of

ideas, information and art forms.

The movement towards a live and growing cultural heritage nationally known and shared owes a great deal to the efforts and imagination of government. Government is not an abstraction. Its failures and successes are none but those of the men and women who exercise governmental authority. It has to be admitted that great impetus and encouragement has been given by government to all forms of cultural activities in the past twenty-five years. Their uneven progress in different areas does not take away much from the worth of the effort.

The catholicity of outlook that marks cultural activities at private, institutional and governmental levels is best seen in the official efforts to make Indians aware of the cultural heritage and trends in other countries. This has been possible mainly on account of the agreements for cultural exchanges that India has contracted with most countries with whom she has diplomatic relations. In fact there are numerous examples where our cultural exchanges have paved the way for economic and industrial exchanges. India has viewed these cultural exchanges as a means of invigorating the human spirit and of deepening our national sensitiveness to artistic expression. This larger purpose has enabled it to steer clear of the particularisms of schools and the politics of nations while seeking enrichment. This responsibility has rested with the Indian Council of Cultural Relations which has over the years built up an impressive edifice of exchange programmes with other countries in all spheres of cultural activity.

In this brief chapter it will be impracticable to attempt a review of all the avenues in which the country and the government have directed their effort. We propose, therefore, to confine our review to a few areas and these are broadcasting, television and films; the three Akademies—Lalit Kala, Sahitya and Sangeet Nataka; and lastly museums, publishing and library services.

### **I. Broadcasting, Television and Films**

**Broadcasting** : Thanks to its speed, extent of coverage and possible impact, broadcasting has become a most powerful medium of mass communication. It informs, instructs and attempts to entertain. Among a people illiterate, literally but not culturally, it is invested with a particularly significant role. Even as it can bind the country together through a single broadcast—whether of news, the President's Republic Day message or a national programme of music—it has the unique advantage of being able to reflect the cultural diversity of the country. Through the medium of broadcasting it takes to vast audiences the

singers and musicians, poets and critics who may use varied musical instruments and speak in diverse languages or dialects.

The growth of broadcasting and its widening reach are impressive. But its potentialities in providing a medium for cultural exchange and a forum for spoken word programmes have by no means been exhausted. Starting with 21 primary stations and 4 auxiliary stations in 1950, when broadcasting was included in the Union List, All India Radio (AIR) had till Jan. 1976, 71 primary stations, 3 auxiliary and two commercial broadcasting service stations. The News Services Division of AIR broadcasts daily 101 news bulletins in 19 languages and 34 dialects. Most of these are naturally directed to linguistically and culturally homogeneous regions where these tongues are spoken and literatures written. But this is only a part of the story; AIR's recorded programme exchange activities make it possible to bring a spoken word programme or music from one part of the country within the reach of every other part.

All India Radio has done much more than this routine exchange of recordings. It has periodically brought together poets and creative writers through its *kavi sammelans* and *sahitya samarohs*. Whether it is plays or poems or novels, All India Radio has made it possible for vast audiences to have listening acquaintance with the literary treasures from other languages and states. It is a tremendous achievement. For a country as rich and diverse in culture as India, this is essential for the emergence of a national consciousness if not cohesiveness.

In the field of music All India Radio can be deemed to have broken new path and provided a new sense of democratic participation. Prior to independence, classical music was understood by and available to a small class. It flourished by and large where a cultural tradition or princely patronage extended help and hospitality.

With the spread of broadcasting, listening and understanding of music have no longer remained the preserve of the select few. AIR's national programme of music has brought since 1952 the performances by the most eminent musicians within the nation's listening ears once every week. By taking it into the homes of the average citizen, All India Radio has given classical music a broader base and wider support. Through live broadcasts and recording, AIR provided financial help to musicians. This is much more than what a few affluent patrons could do. AIR has also built up in the process an immense collection of music and spoken word archives which has become an important part of the country's cultural heritage.

If there are now more concerts and music programmes all over the country, part of the credit for creating a taste for both light and serious

music must go to AIR. With the help of eminent composers and conductors, it has also built up a national orchestra, the *Vadya Vrinda*. Whether used singly or in an ensemble, instruments have now become better known and more widely played. Each year, there is a week-long festival of music at important music centres. This gives opportunity to noted vocalists and instrumentalists to perform before a seeing and listening audience of a size unimagined twenty-five years ago. Karnataka music has devotees by the thousand in the north, and the music of Agra, Baroda and other *gharanas* has travelled east, west and south. Thanks again to the exchange programmes, different schools of music are better known in other areas where they earlier were thought to be alien and unwanted.

It is not merely those who are eminent and have attained fame that AIR has helped in the field of music. In order to spot and encourage young talent, an annual competition is held each year on the eve of the Radio Sangeet Sammelan. Its range is vast—light to classical music (both vocal and instrumental), and solo as well as community singing, whether classical or folk. There has been emphasis on local traditions, folk ways and plucked as well as bowed instruments. This has given a great encouragement to popular understanding of music and has made isolated little known but locally well developed musical traditions an indissoluble part of the nation's cultural heritage.

**Television :** Television (TV) had a late start in India, with an experimental TV centre established in Delhi in September 1959 to telecast programmes of adult education. The pilot centre was upgraded to a regular station in August 1965. It has since taken giant strides offering entertainment, social education and farm information. The Bombay TV centre was commissioned in 1972 and Srinagar and Amritsar centres in the following year. To these were added the Calcutta, Madras and Lucknow centres in 1975. These stations cover a population of 38.5 million.

On August 1, 1975, India launched the first TV experiment in the developing world known as Satellite Instructional Television Experiment (SITE) using a satellite for telecasting mainly teaching programmes. Two thousand four hundred community TV sets have been installed in clusters of villages in Orissa, Bihar, Madhya Pradesh, Rajasthan, Andhra Pradesh and Karnataka. In addition, 400 villages in Gujarat receive a part of the SITE programme from the Nadiad TV centre established by the Indian Space Research Organization. For the first time TV has been introduced in our villages. This experiment has evoked world-wide interest.

**Film :** India is one of the major film producing countries of the world. In 1973, 448 feature films were produced of which, 171 were

in colour. The number of seats in 7,800 cinema houses is about 5 million with daily viewing by nearly 10 million people. Though the film medium is primarily one of entertainment, it is significantly a part of non-formal education.

Positive steps taken by government to encourage the production of healthy and socially relevant films include the annual national awards for the feature, documentary and children's films and films in regional languages. These awards amount to Rs. 5 lakh in cash prizes every year. The Children's Film Society was established in 1955. In 1960 the Film Institute of India was set up at Poona. Its scope of training has since been expanded. It is now known as the Film and Television Institute. A Film Finance Corporation was formed in 1960 to help producers of limited means to produce artistic and low-budget films. A Directorate of Film Festivals was set up in 1973 to enable India to participate in International Film Festivals and to organize International Film Festivals in India.

Most of the documentaries and all the newsreels which are screened in cinema houses are produced by the Films Division of the Ministry of Information and Broadcasting. The Division has produced more than 4,000 films since its establishment in 1948. Annual production now is about 240 documentaries and newsreels. Several documentaries produced by the Division have won awards at international film festivals.

## II. Plastic Arts

For official support in the development of the fine arts, Lalit Kala Akademi was established in 1954. It was the last of the three Akademies to come into being. Its task was to evolve a programme to encourage painting, sculpture and the graphic arts. Since its inception on August 9, 1954, it was accepted by government that in the field of fine arts, the role of government must be secondary.

The role was to preserve the traditions of the past and to enrich them by encouraging creativity among modern artists. The Akademi is expected to help improve standards, refine public taste, coordinate activities in the visual sphere of painting, sculpture, architecture and applied arts. These arts include traditional and folk art and indigenous craft techniques. In the process, the Akademi seeks to strengthen the cultural unity of the country.

Such a pioneering move was expected to be slow in bringing results. This was a new venture in a field unexplored by private enterprise, by cooperative effort among the artists or by the State. The major

programmes by which the Akademi is expected to encourage a variety of activities could be categorized under four major heads, namely, exhibitions, encouragement of indigenous craftsmen, sculptors and painters, and help for art organizations; publications; and building up of a national collection through purchase, copying and other means.

There is no more effective means of bringing works of art within the reach of the common people and of improving artistic understanding and sensitivity than by placing them in public view. Since the first exhibition was held in March 1955, the national exhibition has become an important annual event. It draws big crowds not merely to the Akademi premises in Delhi but in other towns where it has been taken for wider viewing. Among the cities where the national exhibitions have been taken are Amritsar, Ahmedabad, Bhubaneswar, Calcutta, Cuttack, Gauhati, Hyderabad, Jaipur, Lucknow, Madras, Patna, Shillong and Srinagar. This continued until 1963, when it was decided that the national exhibition should not travel.

But the practice of organizing travelling exhibitions was not given up. Over the past twenty years, the Akademi has built up its own collection of works of art. By June, 1973 it consisted of 237 paintings, 44 sculptures and 80 graphics and drawings. There is a regular programme of taking a meaningful selection from this permanent collection periodically to different centres, particularly to the cities which lack occasions to provide their inhabitants with facilities for viewing contemporary art. The travel expositions were taken, for instance, in the winter of 1972-73 to Jabalpur, Kanpur, Nagpur, Raipur, Varanasi, Vijayawada, Shantiniketan, and to Agartala, Imphal and Kohima.

The expositions, thanks to local art organizations, were supported by a series of lectures on contemporary art by the Akademi staff. The existence of the Akademi's permanent collection of graphics, paintings, sculpture and wood and metal has made this possible. The collection has the added advantage of the Akademi being able to encourage contemporary artists in part by purchasing their work but mainly by bringing it to a wider public notice in the country and abroad even as it holds a growing collection in trust for posterity.

A similar but perhaps more creative activity is the programme for the copying by renowned artists of the fresco paintings in different parts of the country. On the other hand there is the programme of extensive reproduction of ancient, medieval and contemporary art in attractive and subsidized books and colour plates. This has brought a great heritage within the reach not only of individuals but educational and research institutions, beginning with primary schools. Two rich collections are thus being built up, and the result is the Akademi's



ability to sponsor their re-exhibition at home and abroad.

When it purchases works of art, one-tenth of the purchase price goes into an artists' aid fund. This is how young artists are encouraged to help their elders in need from the sale proceeds of their exhibits. Additionally, the Akademi makes each year its own contribution of Rs. 5,000 towards this fund. For some artists, there are work camps like the one for painters held at Trivandrum and for sculptors amidst the marble quarries of Makrana near Jaipur. Some studio facilities have also been provided. Painters and sculptors get together in groups, enthuse one another and seek to recreate and relive in the spirit of ancient and monumental works of art. Others are helped to obtain from the state agencies and voluntary organizations artists' material which is imported in bulk by the Akademi and sold at cost price.

It has become possible to take some of the programmes of the Akademi to states and artistically homogeneous areas with the emergence of regional centres, as in Madhya Pradesh and Tamil Nadu. The counterparts of the central Akademi working at state levels are helped with grants in aid for specific projects of their choice. About twenty-five projects are financed each year. Even if the total grant is no more than about Rs. 1 lakh, many locally conceived but nationally significant schemes and activities have been completed.

There are other exhibitions which form part of the Akademi's round-the-year and long-term programmes. The earliest of these put together, in 1955-56, the works of Buddhist art when the 2500th anniversary of the birth of Buddha was observed. Among other exhibitions, a mention might be made of miniature paintings in private possession.

An event which now seems to have established itself for artists the world over is the Triennale of Contemporary Art. The first Triennale was opened by the President of India on February 10, 1968, and closed on April 14. Thirty-one countries took part in the first Triennale and there were 13 delegates from abroad. In the second Triennale (1970-71) forty-seven countries joined and the Akademi put up 88 works of art on view. The third Triennale was held in February 1975.

On many other occasions the Akademi has sought to extend its hospitality to works of artists' abroad. This has paved the way to continuing cultural exchanges in the field of art between India and the rest of the world. There have thus been exhibitions of Canadian paintings, Chinese handicrafts, Hungarian folk art, reproductions of art from Germany and Poland, photographs of monuments in the Soviet Union (10th to 19th century), Romanian architecture, Malaysian and Yugoslav paintings, French decorative art and the Bauhaus

exhibits. There also have been exhibitions of individual artists, as from Mexico and the Soviet Union, of British sculptures by the then living artists and of French tapestries and stained glass.

This has not been a one-way traffic. Apart from enabling Indian artists to participate in exhibitions abroad and in international competitions, there has been a regular flow of graphics, paintings and engravings to the biennales at Paris and Sao Paulo. There has been active participation in exhibitions of Commonwealth art and other events at Lugano, Montreal, Nairobi and in Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the Soviet Union.

These exhibitions are not confined to paintings. There have been exhibitions of arts and crafts. India's neighbours—Nepal, Malaysia and Singapore—have also had the opportunity to view modern and ancient Indian paintings and sculptures. All this has put Indian art on the world map. More than that, it has enabled some Indian artists to receive world-wide fame. India has thus made an entry into the world art market.

The publications of the Akademi have brought reproductions of great art within popular reach. They have been of the highest quality. Thanks to their being sold at cost, they have been brought within the reach of those with modest means. No wonder that a fair part of India's export trade in books consists of the Akademi's publications. It has taken time for the publications to get known, to cultivate the buyers' tastes and to build up a market. The sale of publications has steadily looked up from a few thousand rupees a year to an income for the Akademi of almost Rs. 4 lakhs in 1975. While public interest in contemporary art is slow in asserting itself, the large-size and authentic reproductions of individual paintings by masters and the publications on ancient and medieval art have been in great demand.

### III. Literature

In a country where extant languages like Sanskrit and Tamil have a literary heritage—initially oral and embedded in scholarly memory—going back to a few hundred years before Christ, it is a trifle myopic to talk of cultural developments reflected in literary efforts and events since independence. Perhaps nowhere in the cultural field are the roots of continuity and tradition as strong as among poets, editors, novelists and other writers.

For the past few decades, the major languages, whether or not mentioned in Schedule XVI of the Constitution, have had their literary

conferences, quite often an annual feature. PEN<sup>1</sup> has long had a bulletin to cover literary events. It not merely brought Indian writers together but thanks to the zeal and imagination of organizers like Madame Sophia Wadia, it facilitated their visits abroad. In India it arranged hospitality for foreign authors. The thirties also saw a strong movement among progressive writers, some of them influenced by a wide range of political and economic thought, and others by the Indian conditions, about which Mahatma Gandhi's essays on journalism—always in lucid, impeccable prose—came close to new literature of power and purpose. Then came Sahitya Akademi, established by some coincidence on that day of the year, twenty-four years before, when Gandhiji had started his march to Dandi to embark upon his *Satyagraha* in 1930.

To work for the development of Indian letters, to set high standards, to encourage and coordinate literary activities in a multi-lingual society, and thus to forge cultural unity, were the objectives in view when government set up Sahitya Akademi on March 12, 1954. It was necessary to enable Indian writers to get to know one another. Their writings were worthy of notice and study across the barriers of language and script. It was even more important to enable the reader of one language to appreciate the richness, variety and complexity of literary heritage in the other Indian languages.

Indian literature is one. But writers and readers knew little of what is written in a neighbouring language. So, publications became Sahitya Akademi's major preoccupation. Emphasis was placed in the Akademi's programme on publishing information on literary activities in all Indian languages. This was the task assigned to the journal *Indian Literature*. This was also sought to be achieved in a series of monographs on 'Makers of Indian Literature', histories and bibliographies of literatures in the different languages, and *Who's Who of Indian Writers*.

A major programme was taken up to render literary classics—ancient and modern—from one Indian language to the others. The choice was catholic though rigorous, and the classics in English, French or Russian were not excluded. What was available only to a minority was brought within the reach of readers of Indian languages by translating great literature, often available only in a single Indian or foreign language. It was a natural sequence that the Akademi was UNESCO's major partner in implementing its East-West Project. This is how some Indian classics, old as well as modern, found their way to foreign readers.

While the National Library, Calcutta, has published bibliographies

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1. International Association of Poets, Playwrights, Editors, Essayists & Novelists.

of contemporary writing in Indian languages, there have been no comprehensive bibliographies of books published in the twentieth century. Completion of bibliographies was assigned to language experts. The first covering Assamese, Bengali, English and Gujarati was published in 1962. In 1966, a second volume covered Hindi, Kannada, Kashmiri and Malayalam. The third deals with publications in Marathi, Oriya, Panjabi and Sanskrit.

Work was taken in hand on standard histories of literature in Assamese, Bengali, Oriya, Sindhi and Telugu. They are all in English. But the histories of Kannada and Malayalam came out first in those very languages. Some of them have been rendered into other Indian languages. For instance, the history of Bengali literature has been rendered into Bengali, Kannada, Malayalam, Tamil and Telugu, of Malayalam into English, Hindi and Tamil, of Assamese into Kannada and Malayalam, and of Kannada into English, Hindi and Tamil. The barriers of language were being brought down.

In order to highlight the contribution of outstanding writers in the development of their language, a new series of monographs was started. Among the makers of Indian literature thus covered are Raja Ram-mohun Roy, Shah Latif, Chandi Das, Prem Chand, Meera Bai, Ishwar Chandra Vidyasagar and Vemana.

The first comprehensive survey of contemporary literature in sixteen major languages has been reprinted three times since its first edition of 5000 copies. Similar publications have been brought out of contemporary Indian short stories and of anthologies of modern poetry, of folk poetry, and of devotional poetry. There have been other anthologies of one-act plays, essays, and of folk tales. These have been rendered into other languages as well as into English. In the volumes on *Bharatiya Kavita*, a selection is made of poems published in the major languages during the post-independence period. The distinction of these volumes lies in reproducing the original text in Devanagari with its Hindi rendering on the page opposite. The barriers of scripts were also being overcome.

There have been national observance of important events connected with writers and poets. The birth centenary of Rabindranath Tagore in 1961 saw the holding of an international seminar of luminaries in literature, science, history, political philosophy and rural development and the publication of articles by distinguished Indian and foreign writers on Tagore's life and work, a short bibliography and several pen portraits. There were translations of his selected works in all Indian languages. Additionally, the publications and translations from Tagore covered 500 songs written by him, 101 poems, 4 novels (*Gora*, *Chokher Bali*, *Chaturanga* and *Kumudini*), 21 short stories, some plays

and two volumes of essays.

The impact of Shakespeare's influence on modern Indian literature and theatre was discussed at a four-day seminar in December 1964. Comprehensive bibliographies of translation of Shakespeare's plays into Indian languages were published. In the same year the birth centenary of Swami Vivekananda was observed by the Akademi having his famous life story, written by the French author Romain Rolland, rendered into Hindi, Malyalam, Marathi, Telugu and Urdu. An exhibition was arranged in memory of Romain Rolland in 1966, the year of his birth centenary.

Three years later in the Gandhi centenary year, writings on Gandhiji were published as also a selection of Mahatma Gandhi's own writings, later translated and published in other Indian languages. Romain Rolland's diary on India, not yet available in English, was rendered directly from French into Bengali, and from Bengali into Hindi and other languages. Apart from the publication of monographs and critical studies, the Akademi has arranged talks and seminars as on the life and poetry of Mirza Ghalib and on the teachings of Guru Nanak to mark respectively their centenary and quincentenary.

A sustained effort has been made to recognize and honour writers of distinction. Writers who receive annual awards for their literary contributions have an opportunity to meet other writers at the time of the presentation of the Akademi awards. Quite often they speak on their literary careers and works. Just as state literary conferences bring writers and poets from neighbouring states together, the Akademi brings them together from all over the country at its seminars, symposia, conferences and through its exchange programmes. Honour is thus done and cultural exchanges made possible not merely to the major languages and literary figures, but also to the smaller, regional *litterateurs*. Writings of the award-winning authors are brought out in some languages by the Akademi.

In addition to the languages enumerated in the Constitution, the Akademi has recognized a number of other Indian languages and English for its literary purposes and representation. Among them are Sindhi, Dogri, Rajasthani, Konkani, Maithili, Manipuri and Kashmiri, and very recently the Akademi's recognition has been extended to sixteen more languages. On its executive council, each of the languages recognized by the Akademi has equal representation. This works as a force for cultural integration.

Cultural exchange transcends national frontiers. The Akademi sends out a number of delegations abroad to attend literary conferences, seminars and professional discussions. So also are foreign writers welcomed and honoured by being invited to give talks and lectures or grace the

poetry readings and seminars arranged by the Akademi. A few among them, who have achieved literary distinction in their own lands, are made Fellows.

There were no fewer than 772 books published up to 1975 by the Akademi in the 15 languages mentioned in the Constitution as also in English, Dogri, Maithili, Manipuri, Nepali, Pali and Tibetan. Nearly 600 of them have been published directly by the Akademi, the rest through normal commercial channels. Of the 11 lakh copies of its own publications, seven and a half lakh copies were sold and distributed till March 31, 1974. The balance of some 32 per cent consists mainly of publications in languages in which readership and demand have still to grow, such as books in Kashmiri, Maithili, Pali and Tibetan and the works of Rabindranath Tagore in Devanagari. They are sold all over the country, and especially from the sale section at the headquarters in Delhi and in the regional offices at Madras, Calcutta and Bombay.

Among contemporary literary figures, some have made contributions which should make them immortal. These distinguished authors are elected Fellows of the Akademi for their eminence. Until 1974 the total number of Fellows elected was nineteen. S. Radhakrishnan was the first Fellow nominated in 1967. The ceremony was held in the courtyard of his house in Madras, the presentation being made by Dr. Zakir Husain, himself a great writer, Chairman of the Akademi and then also President of the Republic. The others are C. Rajagopalachari, Tarashankar Bandyopadhyaya, Sumitranandan Pant, D. R. Bendre, Viswanadha Satyanarayana, R. S. Firaq Gorakhpuri, Vaikom Muhammad Basheer, V. S. Khandekar, Gopinath Kaviraj, Kakasaheb (D. B.) Kalelkar, Gurbaksh Singh, Kalindi Charan Panigrahi, M. U. Malkani, Nilamani Phukan, V. V. Mirashi, V. R. Trivedi, Sukumar Sen and Masti Venkatesa Iyengar.

#### IV. Music and Dance

The Sangeet Natak Akademi was established in January 1953 to "promote research in the fields of Indian dance, drama and music and for this purpose to establish a library and a museum, to encourage the exchange of ideas and enrichment of techniques, to promote cultural exchanges in the fields of dance, drama and music with other countries." These objectives have been promoted through music festivals and seminars, grants to training institutions or for research and publication, recordings of performances of eminent artists, recording and filming of folk songs and dances, and by presentation of national awards in

recognition of eminence in music, dance, drama and film. It has also helped in establishing schools of dance and drama.

As for drama, the Akademi helps recognized institutions to conduct surveys in dramatic forms, to run theatre workshops and to organize festivals of drama. To encourage playwriting and production, there are competitions and prizes for the best plays in regional languages.

The Akademi has given grants to a number of theatre groups for purchasing stage equipment. Funds have been provided for publishing ancient and rare manuscripts lying with institutions and to scholars for publishing their works pertaining to dance, drama and music.

In order to foster the various art forms and to encourage research and innovation, the Akademi gives financial assistance to institutions. In the field of music, besides giving liberal grants to recognized institutions teaching Hindustani and Karnataka music, it has helped institutions working on specific projects like choral singing and voice culture.

The National Awards to musicians instituted in 1951 by government was a welcome step in the direction of according recognition to artists and thus restoring their confidence that was needed most as a result of contraction of the patronage of princely courts. With the formation of the Akademi, the National Awards were extended to include dance, drama and films.

The Akademi began with recording of masters who represent definite styles or *gharanas* of music. It now has a rich collection of both the Hindustani school of music and the Karnataka school. The Akademi has been able to collect and record a large number of folk forms of music and songs of different regions. This collection, along with the collections being made by many counterpart institutions in the states, will preserve for future research and study the folk music of the country. The Akademi's full-length recordings of dance music include the music of *Manipuri Ras*, *Kathakali*, *Kathak*, *Bharata Natyam*, *Sattria dance*, *Bhagawatamela*, *Kuchipudi*, and the Mysore school of *Bharata Natyam*.

The Akademi has over the years built up a valuable collection of films and photographs of folk dances, in colour and in black and white, with a view to preserving the existing authentic styles of dances, costumes and jewellery. They have become rich material for study and research. Its collection of photographs and colour slides has some 6,000 items, covering various forms of ballad, dance, drama and theatre.

In the field of dance, apart from running a Manipuri dance institution in Imphal, the Akademi has been giving assistance to institutions imparting specialized training in *Kathakali*, *Bharata Natyam*, *Kathak*, *Kuchipudi*, *Odissi* and *Chhau*.

Since 1957 the Jawaharlal Nehru Manipur Dance Academy has

been an extension of the activities of the Akademi. Its aim is to preserve the authenticity of the classical and folk dances of Manipur. Established as Manipuri Dance College in 1954, the institution has now been renamed Jawaharlal Nehru Manipur Dance Academy. Great care is being taken to teach the students the traditional Manipuri styles of dance. It has adopted modern methods of systematic teaching. The Academy is managed by a local advisory committee. Two eminent *Gurus* (both Akademi award winners) are associated with the Akademi.

In order to preserve the existing patterns of cultural forms, the Akademi has built up a library of folk music and films. It now has more than a thousand hours of recorded music—folk and traditional, ritual and religious, vocal and instrumental, contemporary and classical. Its archives of tapes and recordings include folk musicians of the Manganiyar caste in Jaisalmer. *Ashtapadis* of Jayadeva from Kerala, performances by 29 eminent musicians, seasonal songs of the Oraons, songs from Bolangir, Dhenkanal, Mayurbhanj, Phulbani, Sambalpur, Sundargarh and tribal music from Almora, Kulu, Mandi and Nainital. The Republic Day Folk Dance festival in the national capital each year has owed a great deal to the Akademi in content and presentation.

To facilitate the work of research scholars the Akademi has been building up a library of books and a museum of instruments, costumes and jewellery. The library has some 10,000 books on the subjects of dance, drama and music, a few old manuscripts in the original and a number of photostat and microfilm copies of texts in Persian, Urdu and Sanskrit. *Asavari* has grown into a considerable museum of concert and folk musical instruments. One of the most frequented sections of the Akademi is Yavanika, a gallery of costumes, masks and puppets.

Apart from its collection of books the Akademi has its own publications, some of them regular and periodical. It subsidizes publication of research work in connected fields, purchases books and offprints to encourage scholars, and gives grants. Among its publications are *Folk Musical Instruments*, *Classical Indian Dance in Literature and the Arts*. *Anthology of One Hundred Songs of Rabindranath Tagore* (in staff and Akademi notation), and *Who's Who of Indian Musicians* as well as bibliographies on dance, drama and music. Some bibliographical work about musicians is to be found in its collection of recorded interviews with them.

The first National Music Festival, sponsored in 1954, was a concourse of Indian music, embracing the entire field from *dhruwad* to folk songs. This festival also brought on the same platform outstanding musicians of Hindustani and Karnataka schools of music. In



the same year, the first Drama Festival began with drama from classical Sanskrit to plays in modern Indian languages including English. The National Dance Festival of 1955 projected on the national map many dance forms little known till then outside their own regions, such as *Chhau* of Seraikela and Mayurbhanj, *Satriya* of Assam, *Odissi* of Orissa and *Kuchipudi* of Andhra.

While there have been later festivals in Delhi of traditional music and dance (1970), of performances by young dancers (1970 and 1971), of folk opera and of shadow theatre (both in 1971) and of ballad and mask dances and puppet theatre (both in 1972), there has been an extension of these activities to state capitals. Thus Bhopal was the venue for a theatre festival and the National School of Drama and Asian Theatre Institute, New Delhi have taken their plays to many smaller towns. During the Kalidasa festival at Ujjain, there were audiences of 15,000 to watch *Mrichchhakatikam*, directed by E. Alkazi. Besides, the National School of Drama gives a three-year course of practical and theoretical training in all aspects of dramatical art.

While these festivals provided art lovers with glimpses of culture in vivid and variegated forms, they also became a means towards devising methods to preserve and promote them.

The Akademi's music and dance seminars are accompanied by demonstrations and public recitals. A seminar on films was held in 1955, on drama in 1956, on music in 1957 and on dance in 1958.

The smaller seminars have included a workshop on *khayals*, a *dhrupad* festival, scientific study of folk musical instruments, and an exhibition on *Ramayana* to coincide with the International *Ramayana* Festival in Indonesia. It observed the Ghalib Centenary by arranging a festival of dance and *ghazals*.

The Akademi's periodical exhibitions have had a wide range of subjects. Among the themes covered have been theatrical arts from Romania, folk and tribal musical instruments, and Soviet theatre designs. Among other towns where the Akademi has held photographic exhibitions are Allahabad, Bangalore, Hyderabad and Lucknow. The themes of exhibitions have been related to traditional and folk theatre, dance and music. Some 300 photographs were exhibited in March, 1973 to present a pictorial perspective of the Akademi's twenty years of activity through programmes, festivals, seminars and documentation, ceremonies of honouring great masters and in providing training in arts.

## V. Museums

In an ancient country rich in arts, crafts and efflorescences of

civilization like India, it is easy to start museums of various kinds. Sometimes it is enough to put a ring—a protective wall—around archaeological remains on site. Sometimes the remains are transferred from their local habitations, given a name and put to public view in a building which may or may not have the makings of a museum. From such beginnings until the opening of a modern, functional National Museum in New Delhi in 1960, there have, over the past two centuries, been many collections made under State or private auspices. Today Indian can boast of nearly 300 museums, large and small, local, regional or national.

The oldest and still the greatest and most important is Calcutta's Indian Museum. It was established in 1814. But its beginnings can be traced to the late eighteenth century when scholars and learned bodies like the Asiatic Society began to take interest in antiquities, curiosities and natural sciences as well as the arts and archaeology. This explains the variety of collections in Indian Museum and the vastness of its scope.

Other general museums were not long in coming, as of Madras in 1851, of Trivandrum with its zoological gardens in 1857, the Central Museum of Nagpur and the State Museum of Lucknow in 1863, the Mysore Government Museum at Bangalore in 1866, the Mathura Museum set up by the district collector in 1874, and Jaipur's Central Museum a hundred years ago (1876). The last named, housed in the attractive setting of buildings within the palace walls, has manuscripts, miniatures, textiles, carpets and other decorative arts, regalia and jewellery, arms and armours, representing the accumulations of a ruling family from the late 16th century onwards.

In this process of evolution and growth, some museums have found it possible or necessary to specialize in their collections. Visitors to the Prince of Wales Museum in Bombay cannot but be impressed by the display of works in decorative arts, applied art and textiles. It also has large collections of Indian archaeology and arts, especially miniatures of the highest quality and often of great rarity, some European paintings and a collection of oriental ceramics. Perhaps the widest range of icons in bronze and stone from a limited area is available as a feast for the eyes and for study in Government Museum, Madras. Paintings are the main attraction in Bharat Kala Bhavan at Banaras Hindu University, rich also in early terracottas of the region.

Many earlier museums began as natural history or general museums, including both natural history and archaeology. There are some fine zoological parks and botanical gardens and a few aquaria like the Taraporevala Aquarium in Bombay. The Birla Planetarium, Calcutta, is modern in equipment and programme.

Among the other recently established museums, the National

Gallery of Modern Art, New Delhi, is housed in a mansion adapted to exhibition purposes. It presents the works of modern and contemporary Indian artists. The National Crafts Museum, New Delhi, collects, exhibits and publishes studies of the fine examples of traditional crafts. It thus not only educates the public and builds up popular taste in this area of cultural heritage but also assists craftsmen in maintaining high standards and adapting old art to contemporary use. It helps in developing cottage industries as a means of independent livelihood, as expression of individuality, and as a source of national income.

Apart from natural history and botanical museums with their flora and fauna, there are new developments since independence which hold great promise. A mention in this context must be made of the National Children's Museum in New Delhi and another for children in Amreli, Motilal Nehru Bal Sangrahalaya of Allahabad and the exhibitions of tribal arts, crafts and culture in Chhindwara, Ranchi and Shillong.

It is mainly the natural history museums which have taken a lead in research, publication and popular education. A similar effort can be expected from the museums of applied science and of industry and technology like Lord Reay Museum in Poona and others managed by the Council for Scientific and Industrial Research. The Birla and Visvesvaraya Industrial and Technological Museums in Calcutta and Bangalore respectively, were designed to instruct in science. They arouse and satisfy the interest of young scholars and encourage them to choose careers in science needed in a nation-making technological strides. Ahmedabad's Calico Museum is devoted to textiles, old and new, fine examples of artistic imagination and craftsmanship, often very rare.

Gandhi Memorial Museums as in New Delhi, Madurai and Sabarmati pay tribute to the Father of the Nation. There is a Rabindranath Tagore Museum in Calcutta and a Nehru Memorial Museum and Library in New Delhi.

Although regional in inspiration, Salar Jung Museum, Hyderabad is now an institution of national importance both in fact and in law. It has extensive European art and decorative arts collections, as well as Indian paintings, jades, arms and textiles. Along with its manuscript library, it has now found a new, specially planned building. Of equal importance are some university collections like Asutosh Museum, Calcutta University, with its specialization in the art and archaeology of Bengal. For their contribution to popular education, government departments can claim considerable educational success as through the Health Museum of the Department of Public Health in Hyderabad.

The Archaeological Survey of India, in addition to its care of monuments and excavation programmes, has numerous site museums.

Among them the oldest at Sarnath was founded in 1904. The site museums are inevitably of specialized interest, with their emphasis on local archaeology, as those at Amaravati, Nagarjunakonda, Nalanda, Sanchi and Sarnath. There are others added or renovated in recent years, such as at Konarak and Khajuraho, all installed with taste. They also have maps, charts, drawings, photographs and other supplementary material required to instruct the visitor.

A major municipal museum is Allahabad Museum, rich in antiquities from Kosambi and Sunga material from neighbouring archaeological sites, but also with some general collections.

In 1943 a few workers founded the Museums Association of India. It publishes an annual *Journal of Indian Museums*. An All-India Museums Conference meets each year. Its programme includes a two-day seminar on a topical museum subject.

A scheme for the reorganization and renovation of museums figures in the Five-Year Plans. It provides funds for construction, storage, improvement, education, equipment and publications. Grants for research are provided for young museum workers. The primary functions of research and publication have been stimulated by a general desire to provide broader public services.

In order to meet the manpower needs of the old and new museums, two post-graduate two-years diploma courses in museology had been established in the early fifties, in universities at Baroda and Calcutta. Baroda publishes an yearly *Studies in Museology* and occasional papers on museum subjects. The first *Directory of Indian Museums* was published in 1959. In-service training is available in several museums at different times. In 1963, government began its museum camps. These are annual two-week meetings on museum subjects, conducted by senior museum experts. The officers of state museums were invited for training and discussion with a view to achieve professional and technical improvement. In 1966 UNESCO held its Second Asian Regional Seminar on Museums in New Delhi and Bombay.

Conservation of museum objects has been a side-line of the monument conservation staff of Archaeological Survey of India. In 1958 the National Museum, New Delhi, set up its own laboratory. With its trained personnel and additions of equipment, it has grown into a well-developed unit. Now as the Central Museum Conservation Laboratory, it provides advice, guidance and assistance to other museums. In 1971, with UNESCO's support, it became a Regional Museum Conservation Training Centre for museum personnel.

Provision of information has slowly progressed beyond guided tours and lectures. School visits have taken a more carefully organized form and include the use of motion pictures, special cultural events

and attraction for children in their leisure time. Efforts to train teachers in using museum resources have begun in National Children's Museum, a part of New Delhi's Bal Bhavan, an activity and creative art centre for young people.

Those engaged in conservation in laboratories of National Museum, New Delhi, and other museums, with Archaeological Survey and in National Archives, have formed an Indian Association for the study of preservation of cultural property. It holds a meeting each year. The results of its deliberations are published. As a result of its activities, the International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) sponsored in New Delhi an Asian-Pacific Conference on Conservation of Cultural Property in 1972.

## VI. Publishing

The development of publishing as an industry is linked with the general growth of the economy. But it essentially is a cultural, creative and literary activity. Its spread will depend on educational levels and facilities. Progress in education calls for an adequate supply of books and reading material for all levels and categories of readers at prices which they can afford.

While we study publishing as an activity essential to the promotion and reading of books, it would be useful to keep some facts in view. Over the past twenty-five years, the number of titles published has almost doubled—from 10,000 to 20,000 each year. In 1972-73, there were 17,020 books published. Compared to this there were 5,60,000 titles printed all over the world in 1972. India ranked eighth among the book-producer countries. India has to meet the demand for books for the ever increasing number of students. In the first eight classes of primary schooling, for example, there were, in 1973-74, nearly 79 million children. In the secondary classes there were 8 million and at the university stage, four million.

The average print order for an Indian book is in the region of 2,000, compared with the world average of over 13,000. There are some 12,000 publishers. Most of them operate on the small scale. English books dominate—of the 17,020 books published in 1972-73, those in English numbered 7,314. Nearly a third of the books published relate to social sciences. Only one out of ten deals with pure and applied sciences. In contrast, more than one-half of the books published in the Soviet Union and a quarter in the United States are on scientific subjects.

The lack of indigenous effort is exhibited on the book-shelves of book-sellers. An estimate places at 10 per cent the total stock of books of Indian origin with them. Their effort mainly is to sell imported books, in value currently of Rs. 9 crores a year. The export of Indian publications is estimated to earn Rs. 1 crore of foreign exchange in a year.

The majority of book-sellers in India are located in the metropolitan centres. According to the 1971 census, there are 2,641 urban areas. Not all of them have a book shop. Apart from books sold to individuals, the other way of improving readership is through a network of public libraries. By 1975 only four states had adopted legislation for organizing public libraries. And only fifteen states have a central library of their own. Of 380 and odd districts, only 235 have district libraries.

More recently, the existence of a public sector in publishing has assumed importance. Public sector publishing—whether official, academic or general—has grown. It is a type of publishing that the private sector would not, in any case, have undertaken. However, the public sector has also entered the field of general publishing. Government has become a publisher in order to provide a body of literature on socio-economic development, on cultural heritage and national programmes or policies. Universities and other learned bodies expanded their publishing activities. Parallel developments have taken place at the state level.

The Publications Division of the Ministry of Information and Broadcasting is perhaps the largest publishing house. It is wholly owned and controlled by government. It publishes in all major languages. The National Book Trust has also established itself as a major multilingual national publishing house. The National Council of Educational Research and Training (NCERT) eventually blossomed forth as a publisher of text-books on a vast scale. Its original intention was to develop and publish only prototype text-books (for adoption and adaptation by states) and research monographs on matters concerning education. Insistent and ever-growing demands for supply of NCERT texts have forced this essentially training and research institution to become also a large-scale publisher. Books from these three organizations sell at reasonable prices and meet cultural and educational requirements.

The end of the Second World War also saw the proliferation of the paperback publications. To start with, there were the Vidya Bhavan one-rupee series and Jaico paperbacks. Hind Pocket Books and Orient paperbacks, M. N. Rao's Telugu Emesco series were followed by the Star Hindi series and the India Book House Pearl Books. Later entrants are the Vikas Bell Books, Sterling paperbacks, and Orient Longman's

Sangam paperbacks. Arnold-Heinemann are the latest entrant with their Mayfair series. Except for Hind Pocket Books, Orient paperbacks and Emesco series, which to an extent are distributed through book clubs, the distribution of these series follows conventional channels.

While the paperback series include non-fictions, most of them are fiction-oriented. Non-fiction is either on current affairs or in the category of 'self-improvement'. On topics of Indian origin or interest and as a creative contribution of Indian experts, there are not many serious paperbacks, for example, on life, physical or social sciences and on the humanities.

Notable among the efforts to create in the public what Professor S. R. Ranganathan has described as "library consciousness" are the book fairs. A national book exhibition was the fore-runner of a series of seven national book fairs. India held in New Delhi the First World Book Fair in 1972 and a second in January 1976. There have been numerous local and regional exhibitions and book fairs in states. Indian books are exhibited in the western capitals and also in book fairs as at Frankfurt and Leipzig. This has become possible on account of government aid and support. There was no such activity before independence.

The Ministry of Education has set up a Book Development Board. It has done useful work and has been instrumental in obtaining tax concessions for publishers.

The existing channels of distribution are, however, by no means adequate. To depend for book promotion on the enterprise of book-sellers is to limit the hunger for knowledge and entertainment by the measuring rod of private profit. In the process, an author has to be content with selling just as many copies as would enable publisher to balance his profit and loss account.

Most of the publishers function from big cities where overheads are heavy. Their normal practice is to price a book at several times the printing cost. This gives little encouragement to private purchase and possession of books. The bulk of the sales are confined to libraries. The life spirit of an author and an essentially cultural activity get reduced to a transient commercial transaction.

In the effort to take creative writing to potential readers and to break the vicious circle of heavy overheads and distribution costs which push up book prices and limit sales to editions of under 1,500 copies, there have been two successful experiments. One is by writers who have made a bold attempt to reach the reader directly. The other is by a trust whose main interest in taking the nation's literary heritage to the people has been made financially viable by its allied activity of sales of Indian books to readers at home and abroad. Both the organizations are an answer to the need to build up among the lite-

rate the habit of buying books and circulating them.

The creative writers have to seek other avenues to reach their audiences. In Kerala they have formed an organization called Sahitya Pravarthak Cooperative Society. It is a publishing house owned and run by authors. They have spread their activities to each district by setting up their own book shops all over the state.

The high pricing and the small print order have conspired to limit the sales of books even by the best of authors. But there is a pent up demand which makes itself felt on the market if the price is brought down to match the purchasing power of the impecunious but eager reader. This has been done for the Gujarati language by Lok Milap Trust. It has in recent years brought out serious literature within the reach of a buying public. While bringing out four or five serious and good books the Trust has devised a novel method of covering printing and distribution costs. It prices the books at a fourth or fifth of the usual market price. But it books orders in advance and arrives with fair accuracy at the market demand. It distributes the books directly to the buyer without the intermediary of a bookseller. Its normal print order in recent years has been of 10,000 copies for each serious publication of good prose, poetry, drama and fiction. This has become possible because printing and distribution is handled by lovers of literature who seek readers rather than by commercial publishing houses.

## VII. Library Services

A poor country does not have the resources to provide formal or even informal education to one and all. Much has to be left to individual initiative and voluntary efforts. Once curiosity is aroused and interest created, some means of satisfying them must be provided. This is done through a network of libraries where information and knowledge are available through the printed word or through audio-visual aids—records, films, tapes, etc. Among the means of mass education, books and libraries are still the most important—even in a predominantly illiterate country.

A beginning in this direction was made in a few areas early in the century. A mention may be made of Kumar Munindra Deb Rai Mohasaya, founder of the Bengal Library Association and of Maharaja Sayaji Rao III of Baroda along with his colleagues like Borden and Motibhai Amin who set up an elaborate system of village libraries and travelling libraries, served by a well-provided central library.

This was the pattern which, it was envisaged, would be recreated on a national scale. Its outline was given by the Union Education



**Minister, Maulana Abul Kalam Azad in October 1955 at a UNESCO Seminar on the Development of Public Libraries in Asia :**

**"A District Library service will in its turn require support and guidance from a Central Library in every State. These Central Libraries must also be linked up with one another and be part of an integral system with four National Libraries in Calcutta, Bombay and Madras, with the National Central Library in Delhi as the coping stone of the edifice. It is obvious that such a National Centre must be built not only to coordinate the library activities within India but also to cooperate with UNESCO in organising adequate library service for this region of the world."**

In providing free access to books as a matter of the citizen's right and finding regular statutory funds to develop such a service, only small beginnings have been made. The progress has been highly uneven. While presenting a broad, running story, it would be useful to mention some efforts which have been path-breaking in their own way.

Madras was the first to bring a Library Act into force in April 1950, providing necessary framework and finances for evolving a public library system. A statutory library authority was instituted for the capital city and for each district. Library cess was levied at the rate of 3 per cent of the property or house tax paid.

Progress after 1954 has been encouraging, thanks to the cooperation of the Madras Library Association and local library authorities. Several delivery stations have been set up around each branch library. This has helped to build up a healthy book service. Among the other states to adopt similar legislation were Andhra Pradesh in 1960 and Mysore (Karnataka) in 1965.

The Mysore Act is perhaps the most progressive of all the Library Acts. It provides for a library authority not only for the capital city but also for each city with a population of 1,00,000 and above. It levies a library cess on vehicles as well. The state grant is paid at the rate of 3 per cent of the total land revenue collected. The personnel working in all these public libraries are considered state employees. This relieves the city and district library authorities of the financial burden of salaries.

The scheme for "Improvement of Library Service", included in the First Five-Year Plan (1951—56), was another landmark. It envisaged a network of libraries all over the country. This scheme came into operation in 1952 but made its mark in 1953-54. The aim was to establish district libraries with responsibility to circulate

books. These libraries are to be supplemented and supported by the central library of the state.

This scheme is to become a part of the educational services. There was a proposal to set up "integrated library service" units in each area selected by government. Besides the library unit there would be model community centres. There would be a headquarters library with a network of branches in every community centre and books would be distributed to 20 villages or more within the purview of each community centre. The libraries would support a circulating library system.

Approximately 22 areas in the country took up this project. By the end of the First Five-Year Plan, nine states had prepared plans for setting up the central libraries. Others were in the process of setting up libraries in approximately 100 districts. This scheme roughly cost over Rs. 1 crore, of which nearly two-third was paid by the centre.

In 1951 was opened the Delhi Public Library, a joint Government of India-UNESCO pilot project and an open-to-all library. In 1952, the social education programme took shape. Community and circulating libraries became part of this programme.

In 1954 the Government of India enacted the Delivery of Books (Public Libraries) Act which was amended in 1956 to include newspapers. According to this Act, the publisher of every book and newspaper has to deliver one copy of each item to the National Library, Calcutta, Connemara Public Library, Madras, and Central Library, Bombay.

Yet, today not all the states have state central libraries. Some 235 districts out of 380 and odd have district central libraries, 1500 sub-districts out of 3,100 have sub-district libraries and there are libraries in 50,000 villages out of a total of about 5,67,000. It is estimated that 1,800 towns out of 2,641 have libraries.

On account of the liberal provisions of funds from the University Grants Commission, university libraries are better equipped. In 1974-75 the country had 96 universities and 3,467 colleges of arts, science and commerce. Inevitably, the poor colleges have poorer libraries. Besides public and university libraries, research libraries attached to specialized institutions have been set up. These libraries are by far among the best organized and administered libraries.

The Council of Scientific and Industrial Research has endowed special libraries, many now part of the national laboratories. It has set up a documentation centre (INSDOC) with excellent control over the vast output and imports of technical and scientific material. The Tata Institute of Fundamental Research, the Bhabha Atomic Research Centre and the Indian Institutes of Technology at

Kharagpur, Kanpur, Delhi, Madras, and Bombay have built up their own worthy collections. Some industrial houses and public sector undertakings have also taken a lead in setting up special libraries. A unique library of great historical wealth is the Khuda Baksh Library at Patna. While the provision for institutional libraries in centres of higher learning and certain special libraries has been adequate, the same cannot be said about public libraries and school libraries.

When we look at the statistics and the programmes envisaged, the development of libraries during the past thirty years seems to be phenomenal. But when one looks at the actual situation, he is led to believe that most of these libraries at various levels have been stagnating pools of books. To quote Rabindranath Tagore's words at the first session of the All-India Public Library Conference in 1928, "Most libraries are possessed with the passion for accumulation. Three quarters of their books do not come to use... In our popular parlance, the man of large riches is called a great man. Much the same way, the bigness of a library is estimated by the number of its volumes. The facilities offered for their use, that should have been its glory, are not deemed necessary for its pride."

It is estimated that the country spends just about 5 paise per person each year on public library service and even less on school libraries and children's libraries. Libraries are almost non-existent in primary and middle schools. Not more than one-fifth of the higher secondary schools have adequate library facilities manned by trained library personnel.

The reading habit is better formed among school children and by an organized library service for children. Of late there have been attempts to set up a children's corner in the public libraries of larger cities like Bombay, Calcutta and Madras. Children could be made to feel that the library is a civic institution which has played a vital role in their growth and will continue to be a place for education and entertainment.

The social and cultural contribution of libraries does not need to be stressed. Their social education work covers all cultural activities directly or indirectly connected with book services such as lectures, exhibitions, discussion groups and film shows. Free service is essential to encourage visits to libraries. Experience of the Delhi Public Library shows that such libraries can effectively organize cultural activities and educate the people from various levels, not only through the printed media of learning but with the help of audio-visual aids.

In Indian conditions, library service has to cater to both the literate and the illiterate clientele. Libraries for the people cannot be passive store-houses of books but have to assume a dynamic role to

influence social and economic development. The library can act as a community centre around which the cultural life of the community revolves.

To have a better rapport between library service and the people, one could easily follow the idea of *Mitra Mandals* which were founded at Baroda 40 to 50 years ago. These are local friendly groups. They can organize reading circles and study groups. They help carry the message of books in the interior areas where there is no library service. They are able to help nascent libraries with publications or equipment and also propagate library habits and library ethics. Librarianship is no longer a process of collecting and issuing books; it is a process of relating information to the lives of the people. This is the work which is slowly being brought home to the members of the Indian Libraries Association.

While the spread of libraries is uneven over the country, a few states have made sustained efforts to build up a popular movement. A mention must be made of the Punjab University's first training class in library science started in 1915. This was followed by a library service at municipal and district levels under the leadership of Asa Dean Dickinson. It was owing to the sponsorship of government that the First All-India Library Conference met in Lahore in 1918.

In keeping with the high degree of literacy, Kerala has a large number of small subscription libraries affiliated to *Granthasala Sangham*, which was founded in 1945. Starting with 47 libraries, the *Sangham* has now over 3,000 libraries. Every library has a committee which sends its representative to the *taluka* branch of the *Sangham*. Each of the 55 *taluka Sanghams* sends four representatives to compose a General Committee. A Central Committee of 21 members is elected from among the members of the General Committee. The day-to-day working of the *Sangham* is in the hands of a Working Committee, consisting of nine members, of whom the president, the vice-president and secretary are official members.

The *Sangham* has a paid secretary and 18 inspectors for the 55 *talukas*. The aim of the *Sangham* is to have one inspector for each *taluka*. Its success is to be measured by the fact that one household out of every four is a member.

The sources of the *Sangham's* income are : (i) affiliation fees paid by member libraries according to a fixed scale; and (ii) grant from the state government for meeting its organizational expenses, which amount to nearly Rs. 40,000 a year.

In the past the state government have given the grants to various libraries affiliated to the *Sangham* on its recommendation. Since 1957, a Library Board has been set up. It recommends grants to

various libraries. The *Sangham* is represented by five of its nominees on the Board.

In Tamil Nadu, cooperative societies, *panchayats* and municipalities run their libraries. But the most distinctive characteristic of the library service, as in Andhra, is the operation of library service under the Madras Library Act of 1948. The Act provides for :

- (i) The establishment of a central library which is also the legal deposit library for the state. The Connemara Public Library serves this function, in addition to its function as a lending library for the public in Madras.
- (ii) The constitution of a State Library Committee. The Minister of Education is the *ex-officio* Chairman of the Committee and the Special Officer for Libraries its *ex-officio* Secretary. Besides the Director of Public Instruction who is Director of Libraries *ex-officio* and the Minister of Local Administration, the Committee has on it representatives of the state legislature, the University of Madras, Madras Library Association, local library authorities of Madras and other districts, together with specialists. The functions of the Committee comprise constitution of the Central Library and laying down of its policy, encouraging employment of trained professional staff, maintenance of a register of approved librarians, prescription of qualifications for different grades of libraries and conditions of service, publication of the copyright list of state bibliography and selected book lists for the benefit of libraries in the state, promotion of cooperative classification and cataloguing, recommending standards for library buildings, fittings and furniture and for library techniques, production of reference, adult and children's books suitable for libraries, production and use of books for the blind, and consideration of the schemes submitted by the local library authorities.
- (iii) Appointment of Director of Libraries who recognizes libraries for grants-in-aid in the whole state.
- (iv) Establishment of a local library authority for each district as well as for the city of Madras. The local library authorities submit schemes of library service for their areas.
- (v) Maintenance by every local library authority of a library fund. Its major source is the cess collected under the Act as a levy of 6 paise in a rupee in the form of surcharge on the house tax. The state government adds to the fund a sum not less than the amount of cess

collected, except for the city of Madras where no such contribution is made by government.

The District Education Officer in each district is *ex-officio* secretary of the local library authority.

In 1956, except Kanyakumari, all the other districts had their district libraries. These had in all 251 branch libraries and 470 delivery stations. Besides, there were a few municipal libraries, 540 *panchayat* libraries and 544 *gramasanghams* and other libraries. About 14 lakh books were consulted in these libraries. The cess yielded about Rs. 9 lakhs. The expenditure on libraries in the state was a little over Rs. 20 lakhs.

There is no doubt that the Madras Library Act has justified the wisdom of those who brought it on the Statute Book. The organization of library service appears to be more effective in Kerala and Tamil Nadu than in other parts in India.

### VIII. State Aid

Many poor areas of India today have had a wealth of cultural achievements and creative activities in the past. This does not necessarily mean that poverty goes with creative activity but that prosperity has moved away from those areas in the intervening centuries. It becomes necessary in modern times and monetized economies to keep cultural traditions alive and to encourage them. Government has to step in with funds. This is so not just because the pockets of feudal and princely patrons have been snuffed out. Even if they had survived as a relic of the past their resources would certainly not have sufficed to meet the demands for help.

It was easy to understand that alien rulers lacked the right urge to encourage cultural activities. They were interested in law and order and not the aesthetic aspects of life. The story is still fresh of an official intent on breaking up the sun temple of Konarak. What struck Victorian minds as obscene sculpture was saved because of protests from sculptors, painters and leaders in cultural fields in Calcutta.

When India became independent, there was a popular belief that government would finance the country's cultural renaissance to a take-off stage, for there was danger that the springs of cultural creativity would run dry otherwise. Not that those who have made it their mission to spread knowledge and culture wait for material rewards. Not that material rewards are a sure guarantee of the survival of cultural forms and their development. Yet, if cultural activities are not to be weighed down by the impecuniosity of the devotees of art forms, State

help is very necessary.

It takes time to provide such help. On the eve of independence there were not many institutions which could absorb such help. And both for the syphoning of funds from official sources and for locating the deserving beneficiaries—institutions in existence or with a potential to grow—there were hardly any norms and procedures.

It would have been surprising if in the process of establishing the new norms and working out the procedures for State aid in the world of art and culture, no mistakes were made. But errors and misjudgements are not permanent. Those who make the errors are answerable for their acts. There is the democratic corrective of reversing bad decisions and of replacing poor decision-makers.

Financing of culture calls for organisation. New Cultural organizations had to come into being. Since there are many fields and activities, there can be a proliferation of aid-seeking organizations. Some of their activities overlap, some could even run at cross purposes. The serious handicap is not duplication and mutual cancellation but the impersonal manner in which organizations tend to function. Although aided by the states, their survival and success depend on support by the public. Otherwise State aid would become a permanent crutch. Care also need to be taken that State aid does not undermine the autonomy and self-governing character of cultural institutions. So far State encouragement and assistance have on the whole been invaluable. Many good causes would have faltered or failed without them. State aid can, as it has often done, create congenial and helpful climate.





## CHAPTER VIII

# SCIENTIFIC AND INDUSTRIAL RESEARCH AND DEVELOPMENT

Modern science is neither merely a technique of investigating nature nor simply a way of life of those who are committed to it and follow it without any definite practical aims. Rather, it has now become an instrument of social and economic development. The accumulated knowledge and the methods and techniques now available have not only made an unlimited advance possible, but have also given man necessary means to control both the pace and direction of the advance.

Broadly speaking, there are two processes of scientific development at work in our times : one in the advanced countries and the other in the developing countries of Asia and Africa. In the advanced countries science and its supporting institutions have developed hand in hand. Under the impact of new possibilities the scientific community and scientific organizations in these countries are reacting to evolve realistic policies and coordinate existing trends in the context of present and future possibilities. The developing countries, on the other hand, do not have a proper modern educational base and scientific tradition. The alternatives before them are either to start scientific work on piecemeal basis, allow it to develop into a programme and then evolve overall policies and plans for further development ; or to develop a policy first and then create necessary resources to implement the policy. In view of the urgent necessity to bridge the gap between the advanced and the developing countries, the latter alternative seems imperative.

The problems of India are peculiar in the sense that, contrary to common belief, she has a long history—though not continuous—of scientific speculation and technological achievement. Modern science was introduced to this country in an alien language by the colonial power in opposition to older ways of learning and ancient knowledge. This schism had had a profound impact on the growth of science and technology, and its effects, though not fully understood, are still continuing in one form or another.

From the point view of historical development of science and technology in India in modern times, two distinct phases can be seen. The first phase is one of contained development under British rule, forced by such factors as (i) the technological requirements of political controls, (ii) desire to increase government revenues, (iii) meeting the

requirements of imperial power (for instance in times of war), and (iv) popular pressures exerted by the people who became increasingly aware of the possible role of science and technology in national resurgence. The second phase began with the attainment of independence, when a definite policy was evolved for the promotion of scientific and technological research not merely as an end in itself but as an instrument of social transformation. In this second phase, India owes a great debt to the late Prime Minister Jawaharlal Nehru, whose foresight and dedication to the ideals of science not only created a base for scientific development but transformed the very concept of science and technology into a dynamic factor for social change in India.

### I. Science Policy

Science has been given considerable importance in the country since independence and Jawaharlal Nehru emphasized its importance time and again. A clear policy, however, was initiated by the government when it passed the Scientific Policy Resolution on March 4, 1958. This was a unique step. The Resolution not only declared the government's faith in science and technology but also suggested active steps for its promotion. It has become a basic document of national science policy and is worth quoting in full :

1. "The key to national prosperity, apart from the spirit of the people, lies, in the modern age, in the effective combination of three factors, technology, raw materials and capital, of which the first is perhaps the most important since the creation and adoption of new scientific techniques can, in fact, make up for a deficiency in natural resources and reduce the demands on capital. But technology can only grow out of the study of science and its applications.

2. "The dominating feature of the contemporary world is the intense cultivation of science on a large scale, and its application to meet a country's requirements. It is this, which, for the first time in man's history, has given to the common man in countries advanced in science, a standard of living and social and cultural amenities, which were once confined to a very small privileged minority of the population. Science has led to the growth and diffusion of culture to an extent never possible before. It has not only radically altered man's material environment, but what is of still deeper significance, it has thus influenced even the basic values of life and given to civilization a new vitality and a new dynamism.

3. "It is only through the scientific approach and method and the use of scientific knowledge that reasonable material and cultural amenities and services can be provided for every member of the com-

munty, and it is out of a recognition of this possibility that the idea of a welfare state has grown. It is characteristic of the present world that the progress towards the practical realization of a welfare state differs widely from country to country in direct relation to the extent of industrialization and the effort and resources applied in the pursuit of science.

4. "The wealth and prosperity of a nation depend on the effective utilization of its human and material resources through industrialization. The use of human material for industrialization demands its education in science and training in technical skills. Industry opens up possibilities of greater fulfilment for the individual. India's enormous resources of manpower can only become an asset in the modern world when trained and educated.

5. "Science and technology can make up for deficiencies of raw materials by providing substitutes or, indeed, by providing skills which can be exported in return for raw materials. In industrializing a country, a heavy price has to be paid in importing science and technology in the form of plant and machinery, highly paid personnel and technical consultants. An early and large scale development of science and technology in the country could, therefore, greatly reduce the drain on capital during the early and critical stages of industrialization.

6. "Science has developed at an ever-increasing pace since the beginning of this century, so that the gap between the advanced and backward countries has widened more and more. It is only by adopting the most vigorous measures and by putting forward our utmost effort into the development of science that we can bridge the gap. It is an inherent obligation of a country like India, with its traditions of scholarship and original thinking and its great cultural heritage, to participate fully in the march of science, which is probably mankind's greatest enterprise today.

7. "The Government of India have accordingly decided that the aims of their scientific policy will be

- (i) to foster, promote, and sustain by all appropriate means, the cultivation of science and scientific research in all its aspects—pure, applied, and educational ;
- (ii) to ensure an adequate supply, within the country, of research scientists of the highest quality, and to recognize their work as an important component of the strength of the nation ;
- (iii) to encourage, and initiate, with all possible speed, programmes for the training of scientific and technical personnel, on a scale adequate to fulfil the country's need in science and education, agriculture and industry, and defence ;
- (iv) to ensure that the creative talent of men and women is encouraged and finds full scope in scientific activity ;

- (v) to encourage individual initiative for the acquisition and dissemination of knowledge, and the discovery of new knowledge, in an atmosphere of academic freedom ; and
- (vi) in general, to secure for the people of the country all the benefits that can accrue from the acquisition and application of scientific knowledge”.

The Government of India have decided to pursue and accomplish these aims by offering good conditions of service to scientists and according them an honoured position, by associating scientists with the formulation of policies, and by taking such other measures as may be deemed necessary from time to time.

Since the passing of the Resolution in Parliament, three national conferences of scientists and technologists have been held in 1958, 1963 and 1970, to critically appraise the progress made in the implementation of the Resolution and to take follow-up action to ensure that the progress is sustained in all desired spheres.

The Third National Conference of scientists, technologists and educationists, organized by the Committee on Science and Technology on November 28-30, 1970, identified the need for the preparation of a national plan for the promotion of science and technology and their application to national development. “This plan would have to be related to and integrated with the socio-economic plan through an interactive process. The preparation of such a plan should be the responsibility of a national apex body to be designated as the National Committee on Science and Technology. This Committee, which would be an advisory body to the Cabinet, should maintain close links with the Planning Commission.”

**National Committee on Science and Technology :** There is a Cabinet Committee on Science and Technology to deal with scientific matters. It consists of the Prime Minister and certain other ministers. The Cabinet was formerly assisted by a committee of scientists known as Scientific Advisory Committee to the Cabinet which was replaced in 1968 by the Committee on Science and Technology with a somewhat broader mandate. Accepting the recommendation of the 1970 conference of scientists, the government reconstituted it as the National Committee on Science and Technology (NCST) in 1971. The terms of reference of the NCST include

- (i) preparation and continuous updating of national scientific and technological plans—both Five-Year and Perspective ; this would be carried out in close association with the Planning Commission and would be intimately related to the national socio-economic development plans in terms of relative priorities of allocations and resources ;
- (ii) arranging periodical discussions of Draft Plans and other

major issues of Science Policy among a fairly large representative section of scientists, educationists, industrialists and policy makers ;

- (iii) enunciation of pattern of development of scientific and technological research including inter-sectoral resources allocation and measures needed for correcting imbalances that may arise ;
- (iv) defining of pattern of development for further utilization of the nation's scientific and technological resources ; in particular the measures to be taken for striking a balance between domestic capabilities and foreign assistance ;
- (v) cooperation and communication between government, semi-government and non-government professional bodies in the country ; and
- (vi) international scientific and technological matters.

Simultaneously, the Department of Science & Technology was constituted in 1971 as a separate ministry so as to play the role of an executive ministry. It serves NCST through a technical secretariat.

The Vice-Chairman of the Planning Commission is the Chairman of the NCST. The Committee includes among its members heads of the major scientific agencies and other eminent scientists and technologists.

**Five-Year Science and Technology Plan :** NCST has since prepared for the first time in the country an integrated Five-Year Science and Technology, (S & T) Plan (1974-79) by adopting a combination of sectoral approach and an overview of the totality of the nation's scientific and technological needs. The Plan has become an integral part of the socio-economic Fifth Five-Year Plan. The preparation of the S & T Plan involved about 2,000 scientists, technologists, economists, educationists and administrators. The Planning Commission has allocated an amount of Rs. 10,333 million for the S & T Plan ; an additional provision of Rs. 5,343 million has been envisaged under non-Plan programmes.

Under the guidance of the Cabinet Committee on Science & Technology, it has been agreed that the implementation responsibility of the Plan should devolve upon the concerned ministries and departments.

## II. Organization of Scientific Research

Scientific and technological research in India today is a major national undertaking, ninety per cent of which is being sponsored, financed and managed by the government through various ministries and autonomous bodies. From the organizational point of view, scientific research can be classified into the following groups :

- (1) Research under major agencies, namely (i) the Council of Scientific & Industrial Research, (ii) Atomic Energy Commission, (iii) Space Commission, (iv) Indian Council of Agricultural Research, (v) Indian Council of Medical Research, and (vi) the Defence Research and Development Organization.
- (2) Research under central ministries and departments.
- (3) Research under state governments.
- (4) Research in universities.
- (5) Research in industries and other private institutions.

A brief account of the various research organizations in terms of their structure, functions and areas of research is given in the following pages.

### **(1) Major Scientific Agencies**

**(i) Council of Scientific and Industrial Research :** The Council of Scientific and Industrial Research (CSIR) was established in 1942 by a Resolution of the Government of India as an autonomous body registered under the Registration of Societies Act XXI of 1860. The Prime Minister of India is the President and the Minister-in-Charge of the portfolio under which CSIR is included or any person nominated by the President for the purpose, is the Vice-President of the Society. The Society includes among its members ministers and eminent scientists, industrialists and administrators.

The director-general of CSIR, who is also Secretary to the Government of India, Department of Science Technology, is the *ex officio* Chairman of the Governing Body of the CSIR. Other members of the Governing Body include five directors of the CSIR laboratories, one Member Finance who is the Secretary to the union Ministry of Finance (for financial matters concerning CSIR), and three experts nominated by the President of the Society from outside CSIR.

The director-general in consultation with the Member Finance formulates and presents the budget estimates of the Council and its national laboratories to the Governing Body for its approval. The approved estimates are then submitted to the Government of India. The funds of the CSIR are wholly derived from the central government through the Department of Science & Technology. Donations from some industrial establishments and royalties and premia on the Council's patented processes and products form a small portion of its total funds.

The executive committee of a national laboratory or institute is responsible for its control and general direction within the framework of rules and regulations formulated by the Governing Body. The membership of the executive committee consists of the director of

the concerned laboratory as the Chairman, three project coordinators, administrative officer and accounts officer of the laboratory, and three outside experts nominated by the Governing Body.

The director-general, Scientific & Industrial Research as the principal executive of the CSIR, is responsible for the administration of the affairs of the Society under the direction and guidance of the President, vice-president and the Society. His responsibilities include supervision and coordination of the work of the national laboratories/institutes and of research and expert committees, and rendering advice to the government on scientific matters. The director-general is assisted in his work by a number of technical and administrative divisions and units, housed in the CSIR headquarters at New Delhi.

The CSIR maintains 30 national laboratories and research institutes and 4 directorates, besides the technical units at the headquarters. Scientific and industrial/applied research and development in almost all fields of science and engineering is carried out in the various national laboratories ; basic research is restricted to that which is necessary for industrial research and development in progress and from the viewpoint of future advances in technology in consonance with the national priorities. The technical directorates and units are concerned with documentation, publication and dissemination of information, technology museums, manpower, technology utilization and research coordination, research survey and planning, extramural research, international scientific collaboration, and popularization of science.

Eight to ten per cent of the annual budget of CSIR is earmarked for research schemes and fellowships as support to universities and other academic institutions. The Council administers the "Scientists Pool" to provide temporary placement to well qualified Indian scientists, engineers, medical personnel returning from abroad and also to those who had not been abroad.

Besides the national laboratories/institutes and directorates, the CSIR has set up ten Cooperative Research Associations in collaborations with such industries as textiles, cement, rubber, plywood, tea, wool, jute and automobiles. The Associations carry out research on specific problems connected with these industries. Fifty per cent of the financial obligations of these Associations are met by the CSIR, while the other fifty per cent comes from the industries concerned. The participation of industries in cooperative research has proved very helpful in making the industries research conscious and in speeding up utilization of research results.

The establishments under the CSIR are listed in Appendix I.

The functions assigned to CSIR include

- (i) activities pertaining to scientific and industrial/applied research of national importance ;

- (ii) the establishment or development and assistance to special institutions or departments of existing institutions for scientific study of problems affecting particular industries and trade ;
- (iii) the establishment and award of research fellowships and the institution and financing of specific researches ;
- (iv) the utilization of the results of the researches conducted under the auspices of the Council towards the development of industries in the country ;
- (v) the establishment, maintenance and management of laboratories, workshops, institutes, etc., to further scientific and industrial/applied research and development, and to utilize and exploit for purposes of experiment or otherwise any discovery or invention likely to be of use to Indian industries ;
- (vi) the collection and dissemination of information relating to research and development and to industrial matters generally ; and
- (vii) publication of scientific papers and journals devoted to scientific and industrial/applied research and development.

**(ii) Atomic Energy Commission :** The Atomic Energy Commission was set up in 1948, by an Act of the Government of India, in the Department of Scientific Research, Ministry of Education, to provide for the development and control of atomic energy and for the purposes connected therewith. The Atomic Energy Act, 1962, provides for the development, control and use of atomic energy for the welfare of the people of India, and for other peaceful purposes.

In 1954, the Government of India created the Department of Atomic Energy (DAE) with the status of a separate ministry directly under the Prime Minister.

In 1958, the Atomic Energy Commission was reconstituted with full executive and financial powers, modelled more or less on the lines of the Railway Board. The responsibilities of the Atomic Energy Commission are :

- (i) Formulating the policy of the Department of Atomic Energy for the consideration and approval of the Prime Minister.
- (ii) Preparing the budget of the Department of Atomic Energy in each financial year and getting it approved by the government.
- (iii) The implementation of government's policy in all matters concerning atomic energy.

The Chairman of the Atomic Energy Commission is the Secretary to the Government of India in the Department of Atomic Energy.



The Atomic Energy Establishment was set up at Trombay and was formally inaugurated on January 21, 1957 by the Prime Minister. It was renamed as Bhabha Atomic Research Centre (BARC) on January 12, 1967.

The Department of Atomic Energy has the following principal establishments under its control :

(a) Bhabha Atomic Research Centre (BARC), the national centre for research and development of atomic energy for peaceful purposes, is the largest establishment of the department. The Centre has four research reactors and the fifth reactor is being built. The units of BARC located elsewhere in the country are : (i) Reactor Research Centre (RRC) being set up at Kalpakkam, Tamil Nadu, will be primarily devoted to research and development work in fast reactors in all their aspects, with a Fast Breeder Test Reactor (FBTR) as the most important facility, (ii) Variable Energy Cyclotron (VEC) being built at Calcutta will go into operation in 1976-77, (iii) Gauribidanur Seismic Station, and (iv) High Altitude Research Laboratory, Gulmarg.

(b) Other research institutions supported by the DAE and working in the field of nuclear science and allied subjects include : (i) Tata Institute of Fundamental Research (TIFR), Bombay, which is the national centre for advanced studies in nuclear science and mathematics, (ii) Tata Memorial Centre (TMC), Bombay, comprising Tata Memorial Hospital and Cancer Research Institute, (iii) Saha Institute of Nuclear Physics (SINP), Calcutta, and (iv) Radio-Astronomy Centre at Ootacamund.

(c) Nuclear Fuel Complex (NFC), Hyderabad, which covers the entire range of operations from raw material concentrates to finished fuel components for the country's atomic power programme.

(d) Atomic Power stations and projects such as Tarapur Atomic Power Station at Tarapur; Rajasthan Atomic Power Station at Kota; Madras Atomic Power Project at Kalpakkam and Narora Atomic Power Project at Narora, U. P.

(e) Heavy Water Plants, one in operation at Nangal and four under various stages of construction at Baroda, Kota, Talcher and Tuticorin.

(f) Atomic Minerals Division (AMD), Hyderabad, which is responsible for surveying, prospecting and exploratory development of atomic minerals required for the atomic energy programme.

(g) Industrial Operations, viz., (i) Indian Rare Earths Ltd., (IRE), Alwaye, (ii) Uranium Corporation of India Ltd., Jaduguda, and (iii) Electronics Corporation of India Ltd. (ECIL), Hyderabad.

The overall objective of the Atomic Energy Commission is to orga-

nize, coordinate and conduct research and development work for the peaceful uses of atomic energy. This involves extensive surveys of atomic minerals, development and exploitation of atomic energy for industrial purposes, training of necessary scientific and technical personnel, and fostering fundamental research in nuclear science in the country.

The successful underground nuclear experiment at Pokhran (Rajasthan), an entirely Indian effort, on May 18, 1974, has been the most outstanding achievement of the DAE. This experiment, designed to use underground explosions for constructive purposes, was the result of the research and development (R&D) work at BARC.

(iii) **Space Commission** : The subject of space research was initially allocated to the Department of Atomic Energy in 1961. The Space Commission, backed by an executive Department of Space, was established by the Government of India through a Resolution on June 1, 1972, with full executive and financial powers, modelled on the lines of the Atomic Energy Commission. The Space Commission advises the government on major policies related to India's space programme for peaceful uses and is under the direct charge of the Prime Minister.

The Secretary to the Government of India in the Department of Space is the *ex officio* Chairman of the Commission. The membership of the Space Commission includes one Member for Finance who is also *ex officio* Secretary to the Government of India in the Department of Space in financial matters. A non-member secretary is responsible for its day-to-day work. The Commission is responsible for formulation of policies in all matters concerning outer space and their implementation through the Department of Space. Within the limits of the budget provision, the Commission has full administrative and financial powers for carrying out the work of the Department of Space.

The Indian Space Research Organization (ISRO) is primarily responsible for execution of the research programmes and projects of the department in accordance with the directives and policies laid down by the Space Commission. It has a headquarters organization at Bangalore for management, coordination and planning these activities under advice from ISRO Council, and maintains the following centres.

(a) Vikram Sarabhai Space Centre, Trivandrum, is the national centre for research and development in space technology and is concerned with the development of rockets and satellite launching vehicles, propellants, control and guidance systems, and on-board electronics. It has operational launch facility at Thumba Equatorial Launching Station.

(b) Sriharikota Range, Sriharikota (Andhra Pradesh) is being developed as a national range for launching multi-stage rockets and to undertake development of solid propellants and testing of motors and systems.

(c) Space Applications Centre, Ahmedabad, is entrusted with the task of research and development work and practical applications in the areas of satellite communication, remote sensing and meteorology.

The Physical Research Laboratory at Ahmedabad is the premier national institution carrying out basic research in space science and allied fields, such as aeronomy, cosmic rays and solar radio astronomy, plasma physics, etc. It is an autonomous organization the activities of which are financed mostly by way of grants-in-aid made available by the department.

The Department of Space also gives assistance to institutions, universities and individuals working in the field of space sciences.

The objectives of the department are :—

- (i) development of indigenous capability in advanced aerospace engineering, rockets and satellites;
- (ii) development of capability within the country for various applications of space technology to further national development objectives in (a) mass communication and education via satellite; (b) survey and management of natural resources through remote sensing technology from space platforms; (c) meteorology, geodesy and navigation including establishment of facilities required for these activities;
- (iii) building up of scientific manpower for the activities including assistance to institutions and associations engaged in work relating to space science and provision of facilities for training; and
- (iv) using the spin-off from development in space programme in the fields of research, industry, education and related areas.

The major break-throughs that have been achieved by ISRO are (i) the launching of the first Indian scientific satellite, named Aryabhata, from a Soviet cosmodrome on April 19, 1975 and (ii) the commencing of the Satellite Instructional Television Experiment (SITE) on August 1, 1975, for beaming educational TV programme to selected village clusters of Andhra Pradesh, Bihar, Karnataka, Orissa and Rajasthan, through the US-built Applications Technology Satellite-6 (ATS-6).

(iv) **Indian Council of Agricultural Research** : The Indian (formerly Imperial) Council of Agricultural Research (ICAR) was es-

established in 1929. It is an autonomous body registered as a Society, with the Union Minister for Agriculture as the President. In December 1973, the Department of Agricultural Research and Education was set up in the Union Ministry of Agriculture to provide ICAR the necessary government linkage. The director-general of the Council who is Secretary to the Government of India in the Department of Agricultural Research, is its Vice-President and the principal executive officer. ICAR advises the government on matters connected with agricultural and animal husbandry research and education.

In developing research programmes and in scrutinizing and approving research schemes, the ICAR functions through the various bodies, namely, (i) Governing Body, which is the supreme authority for deciding research policy, approving all research programmes and projects, and controlling the funds sanctioned by the government; (ii) Standing Finance Committee, which examines the financial aspects of all research proposals and makes recommendations to the Governing Body regarding the annual budget of the Council; (iii) Advisory Body, which considers research proposals and makes recommendations regarding the lines on which research and education in agriculture, animal husbandry and allied subjects should be conducted; (iv) Standing Committees, one each for agricultural research, animal sciences research, agricultural education, and agricultural economics, statistics and marketing, which initiate, scrutinize, guide, review and coordinate research and educational activities in their spheres and assist and advise the Governing Body in respect of these matters. The Standing Committees are assisted by a number of scientific panels concerned with specific disciplines. The director-general is the Chairman of the Advisory Board and the Standing Committees.

The director-general is assisted on the technical side by deputy director-generals in different fields, and on the administrative side by a secretary, who is *ex officio* joint secretary to the Government of India. A joint secretary in the Ministry of Finance acts as the Financial Adviser to the Council. The Council also has an Internal Financial Advisor.

The finances of the ICAR are obtained from the government in the form of grants-in-aid and the income from the cess imposed on exports of certain agricultural products specified in the Agricultural Produce Cess Act, 1940.

The Indian Council of Agricultural Research was formed to promote, guide and coordinate agricultural and animal husbandry research, and to ensure continued cooperation between the centre and the states in this vital field. After independence and in the context of the First Five-Year Plan, which placed considerable

emphasis on agriculture, the functions of the Council were broadened to include agricultural extension, education and information.

Until its reorganization, the ICAR did not run any research institutions of its own but sponsored research schemes in central and state government research institutions, agriculture universities and private research centres. The cost of these schemes executed in state government research institutions was shared in equal proportions by the Council and the respective state governments, while the schemes carried on by the universities and the central government and private institutions were wholly financed by the Council. In the case of schemes of all-India importance, however, the Council bore the total expenditure, even though the schemes were implemented through state agencies.

The Council underwent major reorganizational changes in 1966 when central institutions functioning directly under the Department of Food and Agriculture were transferred to the Council. The Central Commodity Committees established for promoting research and development of various commercial crops such as cotton, jute, oil-seeds, lac, tobacco, coconut, arccanut, cashew, spices, etc., were all abolished and the research functions of these committees, including the administrative control of the research stations and laboratories, were taken over by ICAR.

Thus, under the new set-up the Council is not only responsible for sponsoring research, but also directly controls several central research institutes. The Council continues to sponsor and sanction research schemes to be conducted in the research centres of the state Departments of Agriculture, the agriculture universities and private institutions. In addition, the Council finances and operates all-India co-ordinated research projects on a long-range basis. The Council gives support for the setting up of agriculture universities in the states.

The institutions under the ICAR are listed in Appendix II.

**(v) Indian Council of Medical Research :** Medical research on modern lines in India dates back to 1911, the year in which the Government of India established the Indian Research Fund Association whose primary objectives were to propagate medical knowledge and to carry out experimental medical research on the causation, mode of spread and prevention of communicable diseases. For a long time, the Association restricted its activities to imminent communicable diseases. After independence, the scope of the Association's work was considerably widened and, consequently, it was redesignated in 1949, as the Indian Council of Medical Research (ICMR).

The affairs of the ICMR are managed by a Governing Body with the Union Minister of Health as its President. The Governing Body is

guided on scientific matters by a Scientific Advisory Board. The principal executive officer of the Council is the director-general who is also the Chairman of the Board. The Board has a number of expert panels composed of eminent medical scientists to assist in undertaking an overview of the research programmes in the concerned area, in identifying promising areas of future research and in formulation of research projects.

The policy of the ICMR is to promote research by making full use of the facilities available in the existing institutions and supplementing these by providing additional resources. It does not have many institutions under its direct control. Presently, it has eight permanent research institutions, namely, the National Institute of Nutrition, Hyderabad; Virus Research Centre, Poona; Blood Group Reference Centre, Bombay; Tuberculosis Chemotherapy Centre, Madras; Cholera Research Centre, Calcutta; Indian Registry of Pathology, New Delhi; National Institute of Occupational Health, Ahmadabad; and Institute for Research in Reproduction, Bombay. The research programmes of each of these mission-oriented institutes is reviewed by a separate Scientific Advisory Committee with the director-general as Chairman. In addition to permanent institutes, the Council maintains a large number of units and cells in appropriate medical centres in the country for carrying out research on different medical problems. The ICMR also supports research schemes in the universities and medical colleges and institutes, and awards fellowships and associateships.

Recently, ICMR has commenced initiating national coordination projects in high priority areas. After identifying such priority areas, specific time-bound research programmes are formulated on a national level, by bringing together the experts in the concerned fields and providing them with requisite inputs to execute these projects.

The main functions of the ICMR are

- (i) to sponsor research in different areas for finding solutions to urgent problems in the field of medicine and public health;
- (ii) to create new institutions for the promotion of medical research in specific areas;
- (iii) to strengthen existing research facilities for tackling medical and health problems of particular regions; and
- (iv) to create opportunities for training of research workers in the medical colleges, the universities and research institutes through fellowships and research schemes.

**(vi) Defence Research and Development Organization :** The Defence Research and Development Organization (DRDO) was created in 1958

by amalgamating some of the existing technical development establishments with the Defence Science Organization. It functions under the Minister of Defence Production. It follows a two-tier organizational pattern like that of the Services with a headquarters set-up responsible for policy direction, control and coordination as well as liaison with the User Services and Production Agencies; and a field set-up consisting of DRDO laboratories/establishments. The Organization is headed by director-general, Research and Development, who is also the Scientific Adviser to the *Raksha Mantri* as well as Secretary, Defence Research in the Ministry of Defence. He has under him three chief controllers, Research and Development, a joint secretary and a director of administration. The chief controller, R&D(S) is responsible for direction and coordination of R&D activities and programmes in the field of aeronautics, naval and missile development, the chief controller R&D(E) is responsible for research and development in armaments, electronics engineering equipment and vehicles, while the chief controller, R&D(G) is responsible for overall scientific coordination and basic research and support activity. Each chief controller, Research and Development has with him a number of technical directors who help the management of R&D establishments/laboratories belonging to similar broad functional categories.

The activities of DRDO are guided and directed by the Defence Research and Development Council, a body within the Defence set-up which enjoys a certain measure of internal autonomy. With the Defence Minister and the Minister for Defence Production as Chairman and Vice-Chairman respectively, the R&D Council, composed of 16 members, includes eminent scientists and technologists from other leading R&D establishments of the country. In addition, there are a number of R&D panels which provide forums for all agencies connected with the development-production cycle to review progress on projects, assign priorities and ensure smooth and speedy progress of the project activities of the DRDO laboratories.

The DRDO has gone through a phased programme of expansion and build-up of infra-structure and today it has a network of 32 main laboratories/establishments covering practically all disciplines of defence interest.

The principal functions of DRDO are to design and develop weapons and equipment based on the operational requirements defined by the Services, to evaluate and carry out technical trials on new weapons and equipment imported or developed within the country, to render scientific advice to Services Headquarters and to carry out such applied research which is required for the performance of the above functions. DRDO also renders technical guidance to industry in

development and manufacture of equipment required by the Services.

**(2) Research under Central Ministries and Departments :**

There are several research institutes and centres, besides those under major scientific agencies described earlier, which are directly controlled by various ministries and departments of the central government. These organizations carry out research on problems which are of direct relevance to the ministry concerned. In addition, a number of public sector undertakings under the ministries have set up research and development centres. A brief description of these research establishments is given here.

**(i) Department of Science & Technology :** The Department of Science & Technology was set up by the Government of India on May 5, 1971, to coordinate and promote the growth of science and technology and their application to the development and security of the nation. As a consequent, some of the concerned subjects controlled by the Ministry of Education & Social Welfare were transferred to the Department and new ones added. The head of the Department is Secretary to the Government of India, Department of Science & Technology. He is assisted by five divisions, namely, Special Programmes, Environmental Planning & Coordination, International Affairs, Natural Resources and Administration.

The Department is charged with the following responsibilities :

- (a) Formation of policy statements and guidelines on science and technology and the follow up of their implementation.
- (b) National Committee on Science & Technology (NCST).
- (c) Coordination of scientific and technological activities.
- (d) Promotion of new areas of science & technology.
- (e) Matters concerning CSIR.
- (f) National Research Development Corporation (NRDC).
- (g) Scientific surveys.
- (h) Grants to national research institutions and scientific academies and associations, etc.

CSIR and NCST have been described earlier. The NRDC is a public sector undertaking, set up in 1953, to effect transfer of know-how developed in the national laboratories and other research institutes, to the industry. It establishes pilot projects and demonstration units where necessary in collaboration with the companies to improve indigenous technology and to fill technological gaps. NRDC is also engaged in promoting inventive talents in the country by way of providing assistance to the inventors and giving awards for meritorious inventions.

**(ii) Scientific Surveys :** (a) *Survey of India* was founded in 1767



for drawing maps and charts for military reconnaissance. Presently, it is responsible for all topographical surveys, and compilation and maintenance of geographical maps of the area within the Indian Union and Bhutan. In addition, the Survey undertakes training, research and development in techniques of surveying in the field of geology, cartography, map production, etc. It maintains the Centre for Survey, Training and Map Production at Hyderabad, and the Indian Photo-Interpretation Institute, Dehra Dun, besides nine Regional (Topo) Circles. The Survey is headed by a surveyor-general and its headquarters is at Dehra Dun.

(b) *Botanical Survey of India* was established in 1890, with its headquarters at Calcutta. Since independence, it has been reorganized and considerably expanded. The main function of the Survey is to explore the flora or the plant resources of the country through systematic field surveys, for which seven regional circles have been set up at Dehra Dun, Shillong, Coimbatore, Poona, Jodhpur, Allahabad and Port Blair. The Survey has four main centres in Calcutta, namely, the Indian Botanical Garden, the Central Botanical Laboratory, the Central National Herbarium and the Indian Museum—Industrial Section.

(c) *Zoological Survey of India* was set up at Calcutta in 1916, with the objective of exploring and identifying Indian fauna. It controls the National Zoological Collection of India. It has seven regional stations at Shillong, Poona, Jabalpur, Jodhpur, Madras, Patna and Dehra Dun. Recently, two new stations, namely, High Altitude Zoology Field Station at Solan, and Marine Biology Station at Madras have been established.

(d) *National Atlas Organization* was set up at Calcutta in 1956, with the objective of preparing a National Atlas of India in Hindi and English. The preliminary Hindi edition of the Atlas was published in 1967, giving, for the first time, a graphic picture of India's physical features, population distribution, economic resources and social conditions on a uniform scale. The work on the English edition is in progress.

(e) *Natural History Museum* has been set up at New Delhi. The proposed galleries include : Our Universe, Origin of Life, Plants through Ages, and Fauna of India.

(iii) **Special Programmes** : The Department of Science and Technology has sponsored a number of Special Programmes. The National Remote Sensing Agency has been established as an autonomous organization at Hyderabad to carry out surveys of the country for natural resources such as ground and surface water, minerals, forests, etc. Other major national centres are the Regional Sophisticated Instrumentation Centres, at Madras and Central Drug Research Institute.

Lucknow. The details for the development of a national information system for science and technology have been worked out.

An Ocean Science and Technology Agency is being established essentially as a coordinating agency which will also support, where necessary, operational work in the field of ocean sciences. The Instruments Development Agency has been planned to catalyse the commercial production of some specific scientific instruments needed for research, teaching, production and testing. Other special programmes include futurology, energy sources and cryogenics.

(iv) **The Central Electronics Ltd.** has been set up as public sector enterprise for producing sophisticated ferrites, ceramic capacitors and other electronic components, using indigenous technology. It is built around a development-cum-production unit of the National Physical Laboratory.

The department has constituted a National Committee on Environmental Planning and Coordination which initiates national research projects in ecology under UNESCO's programme "Man and Biosphere".

The department extends support to a number of autonomous research institutes, learned societies and academies, mainly in the form of annual financial grants. A central advisory body called Science and Engineering Research Council has been set up to advise the department in the matter of supporting and fostering research programmes in newly emerging and frontier areas and in inter-disciplinary fields.

At the instance of the department, a number of state R & D committees have been set up which include representatives from industry, national laboratories, state department of Industry, technological institutions, public sector undertakings, etc., in the concerned state. The committees receive technological problems of the small and medium industry and refer them to appropriate agencies for solution.

(v) **Department of Electronics :** The Electronics Commission, constituted by the Government of India in February, 1971, has its headquarters in New Delhi. The Chairman of the Commission is also Secretary to the Government of India in the Department of Electronics. While the Commission is responsible for a rapid self-reliant and balanced growth of electronics in the country, the department is concerned with various regulatory and promotional measures. The department functions largely through a number of divisions each concerned with a particular area of electronics.

The Commission has set up a Technology Development Council to identify areas of intensive research and development, assign relative priorities, finance, evaluate and monitor research and development efforts, and help the transfer of the new know-how to production centres. Since different agencies in the country are engaged in the

area of electronics, a National Advisory Committee has been constituted to enable the Commission to have a wide-based periodical discussions on the growth of electronics and to obtain a broad perspective on important issues. A Defence Electronics Committee ensures that defence requirements are taken care of in the planning of electronics development.

The Committee has an Information Planning & Analysis Group which is in charge of developing computerized information systems and long range aspects of analysis and policy-planning.

(vi) **Ministry of Agriculture and Irrigation** : The Indian Council of Agricultural Research under the Department of Agricultural Research manages most of the research centres in the field of agriculture and animal husbandry. The ministry, however, is still controlling some of the centres.

(a) **Department of Agriculture**—The Forest Research Institute, Dehra Dun, conducts research on various problems relating to forestry and utilization of forest products. The department has another centre, namely, Central Groundwater Board, New Delhi.

(b) **Department of Food**—National Sugar Institute, Kanpur, undertakes research projects related to sugar technology and investigates problems of sugar factories. Indian Grain Storage Institute, Hapur, carries out research on problems of grain storage and fumigants. Food & Nutrition Board, New Delhi, is also under this department.

(c) **Department of Irrigation**—The Central Board of Irrigation & Power initiates fundamental research and coordinates the work done by 21 irrigation and 20 power research stations on problems of river valley projects, power stations, and transmission systems. The Central Water & Power Research Station, Poona, is the pioneer hydraulic research station in India. The Central Water Commission is responsible for initiating and coordinating schemes of flood control, irrigation and navigation.

(vii) **Ministry of Commerce** : The Ministry of Commerce is primarily responsible for the internal and external trade of the country. It maintains commodity boards for the promotion and development of the various committees. Some of these boards have research stations under them, namely, Central Coffee Research Institute, Chikamagalur (Karnataka), to carry out studies on both fundamental and applied aspects of coffee culture; the Central Coir Research Institute, Alleppey (Kerala) to conduct research for progressive development of coir industry; and the Rubber Institute of India, Kottayam (Kerala) to investigate problems relating to rubber plantations. The Indian Institute of Foreign Trade, New Delhi, undertakes commodity studies and market research for export purposes.

(viii) **Ministry of Communications** : The Telecommunications Research Centre, New Delhi, under the Department of Communication, carries out basic studies concerning tele-communication systems and undertakes the design and development of all types of communication equipment and systems needed for Teleprinters Ltd., Bangalore, both of which have facilities for research and development work in their respective spheres.

(ix) **Ministry of Defence** : The research and development programme of the Ministry of Defence is controlled by Defence Research and Development Organization, described earlier. In addition, some of the companies under the Department of Defence Production have research and development facilities.

Hindustan Aeronautics Ltd., Bangalore, has a well-equipped design and development department, supported by laboratory facilities, including wind tunnels. Bharat Electronics Ltd., Bharat Dynamics Ltd., and Bharat Earth Movers Ltd., at Bangalore, Garden Reach Workshops at Calcutta and Praga Tools Ltd., Secunderabad, all have design and development cells.

(x) **Ministry of Education and Social Welfare** : The University Grants Commission, under the Ministry of Education and Social Welfare, promotes and coordinates university education, and determines and maintains standards of teaching, examination, and research in the universities.

The National Council of Educational Research & Training, New Delhi, conducts research in such areas as educational psychology, audio-visual education, and educational curricula.

The Anthropological Survey of India, Calcutta, separated from the Zoological Survey of India in 1945, carries out social, psychological linguistic, physical and genetic investigations. Its regional stations are located at Dehra Dun, Mysore, Nagpur, Port Blair and Shillong.

The Archaeological Survey of India, New Delhi (1861) is concerned with exploration and excavation of ancient sites of national importance, and their maintenance and preservation; and acquisition and preservation of cultural collections.

(xi) **Ministry of Energy** : This newly-created ministry with two departments, the Department of Power and the Department of Coal lays down the national policy for the planned development of energy. The Central Electricity Authority, New Delhi, under the Department of Power is the overall planning and coordinating agency for generation, transmission and utilization of electric energy in the country. The Central Power Research Institute at Bangalore is devoted to research in problems connected with generation, transmission and distribution of energy. The Department has also a Switchgear Testing and Develop-

ment Station at Bhopal.

The National Coal Development Corporation, Dhanbad, which is a subsidiary of the Coal Mines Authority, investigates problems concerning coal mines. The Neyveli Lignite Corporation, Neyveli, which is under the Department of Coal carries out research relating to the integrated lignite project.

**(xli) Ministry of Health and Family Planning :** The Ministry of Health and Family Planning controls, in addition to ICMR, a number of training and research institutions. The All India Institute of Medical Sciences, New Delhi, is a premier institution in India for advanced research and training in medical sciences.

The Central Research Institute, Kasauli, carries out research on pathogenesis of different tropical diseases, and manufactures vaccines and sera for the prophylactic treatment of these diseases. The National Institute of Communicable Diseases, New Delhi, has activities covering research and training in communicable diseases including malaria and prevention of these diseases.

The All India Institute of Hygiene & Public Health, Calcutta, imparts post-graduate training, besides doing research. The Pasteur Institute, Coonoor, does research in rabies, influenza, polio, smallpox, enteric fevers, syphilis, etc. and manufactures anti-rabies vaccine and polio-mylitis vaccine. The Haffkine Institute, Bombay, established in 1896, conducts research in bacteriology, experimental medicine, chemotherapy, pharmacology, immunology and virology related to communicable and other diseases. It manufactures some bacterial and viral vaccines, anti-toxins and other biologicals.

Other institutes and centres, under this ministry, doing work in particular branches of medicines and treatment are : All India Institute of Physical Medicine & Rehabilitation, Bombay; All India Institute of Mental Health, Bangalore; All India Institute of Speech & Hearing, Mysore; B.C.G. Vaccine Laboratory, Guindy; Cancer Institute, Madras; Central Food Laboratory, Calcutta; Central Leprosy Teaching & Research Institute, Chingleput; Central Drugs Laboratory, Calcutta; Chitranjan Cancer Research Centre, Calcutta; Demographic Training & Research Centre, Bombay; Family Planning Training Research Institute, Bombay; Hospital for Mental Diseases, Ranchi; Jawaharlal Nehru Institute of Post-Graduate Medical Research & Education, Pondicherry; King Institute of Preventive Medicine, Guindy; National Institute of Health & Family Planning, New Delhi; National Tuberculosis Institute, Bangalore; Institute of Medical Education and Research, Chandigarh; Rural Health Training Centre, Delhi; Serologist and Chemical Examiner to the Government of India, Calcutta; School of Tropical Medicine, Calcutta; Vallabhbhai Patel Chest Institute,

## New Delhi.

The Central Council for Research in Indian Medicine and Homoeopathy is responsible for initiating and coordinating scientific research in different aspects—fundamental and applied—of the Indian systems of medicine and homoeopathy and *yoga*. It has set up five scientific advisory boards, one each for *ayurveda*, *siddha*, *unani*, homoeopathy and *yoga*.

**(xiii) Ministry of Home Affairs :** The Central Forensic Science Laboratory, New Delhi, under the ministry, promotes the study and development of forensic sciences in India and provides scientific aid to crime investigation. The ministry has also a Bureau of Police Research & Development at New Delhi.

**(xiv) Ministry of Industry and Civil Supplies :** (a) Department of Industrial Development—The Indian Standards Institution (ISI), Delhi, under this department, lays down national standards for commodities, materials, processes and practices, and undertakes investigations that may be necessary for carrying out these functions. It also promotes standardization and quality control in industrial technology, and operates the ISI Certification Marks Scheme.

The Central Silk Board is responsible for the development of silk and sericulture industry and coordinates research being done at the Central Sericultural Research & Training Institute, Mysore; the Central Sericultural Research Station, Berhampur; and Central Tasar Research Station, Ranchi

The department controls the public sector undertakings, *viz*, Instrumentation Ltd., Kota, Hindustan Photo Films, Ootacamund, Hindustan Salts Ltd., Jaipur, and Hindustan Cables, Rupnarainpur, all having some research and development facilities relating to their respective spheres.

**(b) Department of Heavy Industry—**The department maintains an R & D organization for electrical industry at Bhopal, and a Central Machine Tools Institute at Bangalore to undertake research in machine tool technology and to develop new designs of machine tools. The public sector companies under the department, namely, Hindustan Machine Tools, Bangalore, and Bharat Heavy Electricals Ltd. have design and development centres.

**(xv) Ministry of Information and Broadcasting :** The Research Department of the All India Radio investigates problems having a direct bearing on and utility to sound broadcasting and television. It also undertakes R & D activities directed towards import substitution and indigenous production of equipment required for AIR network.

**(xvi) Ministry of Petroleum and Chemicals :** This Ministry has two departments, the Department of Petroleum and the Department of

## Chemicals.

(a) **Department of Petroleum**—The Oil and Natural Gas Commission, which functions under this department, is engaged in the exploration and production of crude oil and has a research and training institute, namely, Institute of Petroleum Exploration, Dehra Dun. The Indian Oil Corporation, which distributes the products of the public sector refineries, has set up a Research & Development Centre at Faridabad, to develop lubricants and provide technical service to customers. The Engineers India Ltd., New Delhi, provides engineering and consultancy services in the field of petroleum, petro-chemicals and fertilizers.

(b) **Department of Chemicals**—Under this department, there are a number of public sector projects such as Indian Drugs & Pharmaceuticals Ltd., at Rishikesh (antibiotics plant) and Hyderabad (synthetic drugs plant), Hindustan Insecticides at New Delhi, Hindustan Antibiotics at Pimpri, Hindustan Organic Chemicals, Rasayni, Fertilizers & Chemicals at Travancore, and Fertilizer Corporation of India at Sindri, which in addition to undertaking the manufacture of various products are also engaged in design and development work in their respective fields.

(xvii) **Ministry of Planning** : The Department of Science and Technology attached to the ministry has been described earlier.

The Department of Statistics under this ministry controls the Indian Statistical Institute (ISI), Calcutta, which provides facilities for teaching, training and research in statistics, carries out national surveys and maintains the International Statistical Education Centre. ISI has been recognized as an institution of national importance.

(xviii) **Ministry of Railways** : The Railway Board has a research centre at Lucknow, known as the Research, Designs & Standards Organization (RDSO), which investigates a wide range of railway engineering problems, including design and standardization of railway equipment. RDSO has a number of wings under its directorate, some dealing with research and others with standardization and designs. It is headed by a director-general.

(xix) **Ministry of Shipping and Transport** : The Hydraulic Research Department of Calcutta Port Trust performs research on hydraulics. Optical Research Laboratory, Calcutta, investigates specific problems related to lighthouses and lightships. Hindustan Shipyard, Visakhapatnam, a public sector company under the ministry, has a design and development centre.

(xx) **Ministry of Steel and Mines** : (a) **Department of Steel**—The Steel Authority of India Ltd. (SAIL) coordinates the development of the iron and steel industry in the country. The management of the

three public sector steel plants, namely, Bhilai, Durgapur and Rourkela, is vested in Hindustan Steel Ltd., a subsidiary of SAIL. The Hindustan Steel Ltd. has a Centre R & D Organization at Ranchi, the activities of which relate largely to tackling process control and quality control problems encountered in steel production. The National Mineral Development Corporation Ltd., Hyderabad, which has been designed mainly for the development of iron ores in the country, is now a subsidiary of SAIL.

(b) Department of Mines—The Geological Survey of India (GSI), Calcutta, under the department, is the principal agency for mapping and exploration of minerals. It was established in 1851 and is headed by a director-general. The activities of the Survey are conducted through five regional circles located at Calcutta, Lucknow, Jaipur, Hyderabad and Nagpur. The Mineral Exploration Corporation was set up in 1972 for detailed mineral exploration, a function performed by GSI.

Indian Bureau of Mines, with the headquarters at Nagpur, assists the government in the formulation of its mineral policy. It carries research on beneficiation of low grade ores and analysis of ores and mines. It collects and publishes mineral information and statistics.

(xxi) **Ministry of Supply and Rehabilitation** : Under the control of the Department of Supply, the National Test House, Calcutta, undertakes testing and evaluation of materials as per standard specifications. It maintains a few stations.

(xxii) **Ministry of Tourism and Civil Aviation** : Research & Development Directorate, New Delhi, under the Department of Civil Aviation, is concerned with design and air-worthiness of civil aircraft and equipment, development of indigenous air-craft materials and their specifications, and design and manufacture of training aircraft. The department also maintains a Radio Construction and Development Unit at New Delhi.

The Indian Meteorological Department, New Delhi, is the national agency for providing services in the field of meteorology. The observational network consists of five Regional Meteorological Centres located at Bombay, Calcutta, Madras, Nagpur and New Delhi, besides 932 observatories for collection and processing of meteorological data. The Department, along with the Indian Institute of Tropical Meteorology (IITM), Poona, conducts fundamental and applied research in various aspects of meteorology like weather forecasting, climatology, hydrology and instrumentation. The Indian Institute of Astrophysics, Kodaikanal, and the Indian Institute of Geomagnetism, Bombay, responsible for research in their respective spheres, have been constituted as autonomous institutes along with IITM.



(xxiii) **Ministry of Works and Housing** : The National Buildings Organization, New Delhi, under this Ministry, undertakes research on building materials and techniques, besides being an advisory and co-ordinating body for all technical matters concerning building and housing.

### **(3) Research under State Governments**

Support for scientific and industrial research by state governments is very limited. The major area where state governments seem to be directly involved to a considerable extent is agriculture and veterinary sciences. In this area, the involvement is through agriculture universities and some research stations under the departments of agriculture. These universities also receive financial support from ICAR.

Out of Rs. 128.723 million spent by the state government in 1973-74, about 55 per cent has been spent on agricultural research, 13 per cent on fisheries and livestock, 14 per cent on industrial research and only 3 per cent on medical and public health research.

### **(4) Research in Universities :**

The beginning of modern education in India can be traced to the establishment of the universities of Bombay, Calcutta and Madras in 1857. Next came the University of Allahabad, which was established in 1887. All other universities were opened only after 1916. Although some of these universities were established quite early, teaching of science began much later.

The development of universities in India is marked by two significant periods, one beginning with the passing of the University Act of 1904 and the other after the attainment of independence in 1947. The University Act of 1904 empowered the existing universities to undertake post-graduate teaching and research. Consequently, around 1905 and after, a greater emphasis was given to science education in government colleges and private institutions.

Soon after independence, the entire university education was reviewed by an Education Commission headed by Dr. S. Radhakrishnan. The implementation of several of the recommendations of this Commission had considerable impact on the growth of the universities and science departments with modern facilities. With the establishment of the University Grants Commission (UGC) in 1953, funds for research schemes, fellowship programmes, scientific equipment, advanced centres for research, etc., in universities were considerably liberalized. UGC is also responsible for coordination and maintenance of standards in

higher education.

In 1975 there were 95 universities; 9 institutions deemed to be universities, which include Birla Institute of Technology and Science, Pilānī, Indian Agricultural Research Institute, New Delhi, Indian Institute of Science, Bangalore, and Indian School of Mines, Dhanbad ; and 8 institutions of national importance, which include 5 Indian Institutes of Technology at New Delhi, Kanpur, Kharagpur, Madras and Bombay, the Indian Statistical Institute, Calcutta, All India Institute of Medical Sciences, New Delhi, and Post-Graduate Institute in Medicine, Chandigarh.

*Organization*—The universities are by and large autonomous institutions supported by state governments or the central government. Many of these also receive financial assistance from individuals and philanthropic organizations. The University Grants Commission meets the entire expenditure on the central universities. In addition, UGC gives grants to institutions “deemed to be universities”, and provide financial support to other universities and colleges for improving the standards of teaching, examination and research.

Major policy decisions on academic and administrative matters of a university are taken by the Academic and the Executive Councils which are elected bodies consisting of the Chancellor, the vice-chancellor, the pro-vice-chancellor, the registrar, senior members of the faculty, eminent educationists and scientists and representatives of the state or central governments. The Court (Syndicate or Senate), which is also an elected body consisting of faculty members and outsiders, considers all the decisions taken by the two Councils. The Chancellor, usually the head of the state, is the titular head of the university ; the vice-chancellor assisted by the pro-vice-chancellor, the registrar and the various provosts and proctors, functions as the chief executive. The affairs of departments are the responsibility of the heads of departments who are supervised by deans of the respective faculties.

*Research Programmes*—Scientific research in universities is mostly confined to Ph.D. programmes. In some cases faculty members do independent research work supported by grants from the UGC or other government or non-government sources. Such grants have also resulted in the establishment of a few advanced research centres in the universities or large-scale research schemes attached to science departments.

The research programmes in universities are mostly restricted to a few science subjects only. Botany, chemistry, physics, chemical engineering and, to some extent, mathematics are the most popular subjects among university researchers.

*Institutes of Technology*—The central government, in collaboration with foreign countries, has established five institutes of technology

in different regions of the country for advanced training and research in technological subjects. Training and research facilities on modern lines are offered on a wide range of subjects, such as naval architecture, fuel and combustion engineering, production technology, geophysics, electrical communication engineering, foundry engineering, concrete technology, etc. The entire programme is geared to meet the technological requirements of industrial and other developmental projects. Like the central government universities these institutes are controlled by the Ministry of Education.

### **(5) Research in Industry and Private Institutions**

**(i) Research in Industry :** The development of scientific research in industries is marked by three steps. In the first stage industries were established through foreign collaboration; equipment and technical know-how were imported from abroad. In the second stage, the high cost of technology compelled the entrepreneur to develop local facilities for testing and quality control. The third stage is characterized by a transition from testing and quality control laboratories to the establishment of research and development laboratories.

A majority of Indian industries, however, still do not have research laboratories attached to them. Foreign firms were the first to establish R & D units of their own, followed by a growing tendency among local entrepreneurs to do the same. Consequently, the number of research and developments units in Indian industries is increasing steadily. The government have also been encouraging the industries in their research and development efforts, by way of certain tax concessions.

As on February 1, 1975, there were 191 companies in the private sector registered with the Department of Science and Technology which were engaged in research and development work. The total expenditure incurred on research and development by the private sector industries was Rs. 235.1 million in 1973-74. The majority of the companies maintaining research and development units belonged to chemical and allied industries.

In the public sector, there were 29 companies reported to be engaged in research and development activities. These companies are attached to the various central ministries and departments. Expenditure on research and development in the public sector was Rs. 110.4 million in 1972-73.

Some of the important research institutes set up by the private industries are described here.

Sri Ram Institute for Industrial Research, New Delhi, conducts research mostly in the field of chemistry and technology of textiles,

high polymers and chemicals. It undertakes work from industrial firms and other organizations on sponsorship or contract basis.

CIBA Research Centre, Bombay, has furtherance of pharmaceutical research in India as its primary objective. It carries out fundamental research in chemistry and biology, with particular emphasis on natural products.

Hindustan Lever, Bombay, has set up a research centre to provide research support to marketing, production and development programmes of the company.

A number of industries are collaborating with national laboratories on scientific and technical matters. Cooperative research associations under the CSIR are a good example of this. Representatives from industries, as members of the executive or special committees of laboratories, participate in formulating research programmes and setting up pilot plans in laboratories. In many cases laboratories are acting as technical consultants to industries and are taking up specific research projects of interest to industries.

(H) **Private Research Institutions** : There are several private institutions in the country doing research work. Such institutions have been established on endowments from philanthropic agencies, industries, or other sources. They are usually registered as Societies and are managed by a governing council. A number of them get financial assistance from the Department of Science and Technology, and other government agencies, the share of the government in meeting their expenditure being substantial. The more important of the aided institutions are mentioned below :

*Indian Association for the Cultivation of Science, Calcutta*, is one of the oldest research institutions in the country and conducts research in fundamental aspects of physics and chemistry.

*Bose Institute, Calcutta*, is a pioneer centre for investigations pertaining to different aspects of life sciences.

*Raman Research Institute, Bangalore*, carries out research in physics, especially in the fields of liquid crystals. It has made valuable contributions in this discipline.

*Birbal Sahni Institute of Palaeobotany, Lucknow*, is devoted to research in fossil flora of India and related fields.

*Wadia Institute of Himalayan Geology, Delhi*, promotes studies on the geology of the Himalayas, in cooperation with the universities.

*Maharashtra Association for the Cultivation of Sciences, Poona*, conducts research in botany, mycology, plant pathology, entomology, biochemistry and soil sciences.

*The Bombay Natural History Society* is concerned with the study of the natural history of oriental regions.

*Indian Institute of Science, Bangalore*, is a premier centre for applied research and is now deemed to be a university.

*The Tata Institute of Fundamental Research, Bombay*, and the Physical Research Laboratory, Ahmedabad, being supported by DAE and Space Department respectively, have been described earlier.

### III. Scientific Societies and Publications

**Scientific Societies :** Scientific societies and academies in India have a long history dating back to the later part of the 18th century. There are perhaps over 250 societies in the country which may be grouped as (i) general societies for promotion and popularization of science, (ii) specialized societies dealing with various subjects of science, (iii) professional societies which look after the interest of the concerned professions, and (iv) reputed societies whose membership is a mark of distinction in the country. Some of the societies are self-supporting, but majority of them receive grants from the government. The societies have library facilities, conduct examinations for the award of diplomas in particular professions, publish scientific journals and organize conferences and symposia. There has been an increase in the number of scientific societies after independence, particularly in the field of very specialized subjects and in the developing branches of science in the country. Most of the scientific societies are established in big cities like Calcutta, New Delhi, Bombay, Bangalore and Madras. Societies having their headquarters in smaller towns are generally associated either with universities or research institutions.

The Department of Science and Technology gives grants to a number of scientific societies and academies for maintenance and advancement of their work. Of these mention may be made of Indian National Science Academy (INSA) and Indian Science Congress Association. Indian National Science Academy (formerly National Institute of Sciences of India), New Delhi, has been declared the premier scientific society in the country. It is not a research institute but promotes research in basic sciences. INSA, among other things, is the adhering body of India in the International Council of Scientific Unions. It organizes lectures and conferences and publishes journals. Indian Science Congress Association, Calcutta, conducts annual sessions and has one of the largest memberships among the societies.

Among the other academies engaged in research are the National Academy of Sciences, Allahabad, and the Indian Academy of Sciences, Bangalore.

The Institution of Engineers, India, has the largest membership

among the professional societies.

**Scientific and Technical Publications :** The scientific publications of the country have also a long history going back to the later part of the 18th century. The growth of scientific journals, particularly since independence, has been considerable. About 1,000 scientific and technical journals are being published in the country dealing with highly specialized and professional fields, trade, popularization of science, etc. These include about 170 annual reports of scientific and technical institutions, documentation lists and abstracting periodicals. Many of the journals are subsidized by the institutions and some receive grant from the government for their publication. English is the most favoured language of scientific periodicals but some 10-12% are published in Indian languages; a few language journals publish summaries in English.

Most of the research organization in the country like CSIR, ICAR, DRDO and some of the institutes of technology and universities publish their own journals and bulletins.

The CSIR has the largest publication facilities. It publishes journals on subjects of national interest, proceedings of symposia, and special monographs covering researches in specialized fields in India, besides a 20-volume national encyclopaedia of Indian raw materials and industrial products entitled *The Wealth of India*. The ICAR is another organization with a large publication programme in the field of agricultural research.

**Scientific Texts :** Higher education in the country, especially in science and technology, agriculture and medicine, is to a large extent dependent upon foreign books. A beginning has been made in bringing out Indian editions of foreign textbooks through international collaboration programmes. This, however, does not meet the demands of higher science education, since the coverage in the field of science and technology by the books written within the country is very low. The UGC is developing a programme for production of high standard textbooks on a large scale through inter-university collaboration and involvement of eminent teachers and researchers.

The National Book Trust, under the Ministry of Education, also encourages the publication of university level books in English by Indian authors.

#### IV. Scientific and Technical Manpower

The total number of scientific and technical personnel which stood at 0.7 million in 1965 and 1.2 million in 1971 was estimated to be

about 1.5 million in 1974. The number of scientific and technical personnel employed in Research and Development establishments including universities was approximately 66,000 in 1973-74.

**(i) Methods of Recruitment :** There are two definite methods of recruitment of scientific personnel in the country, one followed by departments under the different ministries and the other followed by autonomous organizations and the universities. The vacancies to various scientific posts are usually advertised in both the cases.

The actual recruitment in the case of research departments in the ministries is carried out by the Union Public Service Commission which has a number of regular members. Experts in a particular field of specialization are invited to select candidates for jobs in that field. The autonomous organizations and universities recruit directly and the selection is made by a panel of experts in a particular field.

Autonomous research organizations such as the CSIR, ICMR, ONGC, AEC, Indian Standards Institution, Indian Statistical Institute, etc., have under the various institutes, units and laboratories spread throughout the country. Personnel recruitments for these are determined by the parent organizations, in consultation with the directors of the institutes, units or laboratories concerned. Qualifications and experience required for the jobs are laid down by the directors in consultation with their senior colleagues. Approved jobs are advertised in newspapers, in some cases by the administration in the headquarters of the parent organizations and in some others by the administration of the institute or the laboratory. Interviews for higher jobs are usually held at the central offices of the organizations; for lower level jobs they are held at the institute or the laboratory itself.

**Universities :** Universities enjoy complete autonomy in recruitment of their staff. Once the jobs are sanctioned by the University Grants Commission, the departmental heads formulate the qualifications and experience required for the jobs. The office of the registrar advertises the jobs, receives applications and organizes the interviews. Preliminary screening prior to the interviews is done by the departmental heads. The interview committee consists of the vice-chancellor, or the pro-vice-chancellor, the registrar, the departmental head, and one or two professor-experts from other universities selected by the departmental head. Final selection depends largely upon the opinion of the departmental head. The whole process may take one to three months after the approval of jobs by the University Grants Commission.

**Industry :** Industries do not seem to follow a homogeneous pattern of recruitment. Selection is generally based on personal contacts between the employer and the job seeker. In many cases the jobs are not

even formally advertised. The employer or the job seeker may reach each other through persons who know both and can recommend one to the other. In other cases where a number of jobs have to be simultaneously filled, or where jobs require, very special training for which recruitment is not easy, formal advertising and interviews become essential. Interview boards usually consist of the managing director, chairman, managers and other officers of the firm. Salaries differ from firm to firm, their fixation is flexible and depends upon the qualifications and experience of the applicant.

(ii) **Promotions** : Scientists appointed in a particular grade earn their annual increments. Their promotions usually depend on vacancies created in higher grades or positions offered to them in some other establishment. The situation occasionally leads to a quick movement of scientists from one post to another, particularly in those fields where the scientists are in great demand.

Promotion to next higher jobs in any of the government organizations and universities is not automatic. Jobs have to be formally sanctioned and advertised. Insiders apply for these jobs in just the same way as outsiders do. Any applicant fulfilling the basic requirements of the job may be called for interview, although the departmental candidates are often preferred and usually given promotions, provided they compete well with applicants from outside.

The CSIR has developed a scheme by which the work of scientists is reviewed after every five years and based on the recommendations of the reviewers a person is promoted to the next grade. Further, on the recommendations of the director and the referees, any scientist who carries out meritorious work, can be promoted to the next higher grade even in less than five years.

## V. Expenditure on Scientific Research

**Financing and Budgeting** : Research in the country is financed by the government and the money spent is part of the funds of the various ministries of the Government of India or state governments. It is voted annually by the Parliament or state legislatures.

The budget is usually in two parts, capital and recurring. The recurring expenditure is continuous from year to year, with an annual increase of 2.4 per cent to meet the increased costs and incidental expenditure. The capital expenditure is earmarked for a specific item like construction, machinery or equipment and is non-recurring.

All budgetary expenditure in the case of central sector is subject to the approval of the Union Ministry of Finance, irrespective of its



being the budget of a department of the government or semi-autonomous body. There is no system of block grants. It is also subject to auditing. Research organizations have to go to the Ministry of Finance for the release of foreign exchange for specific items required for import of research equipment, chemicals and other materials.

The degree of autonomy and the extent to which each organization can undertake decisions regarding financial matters varies from organization to organization. Two trends have been discernible recently : firstly, greater autonomy being given to the organization; and secondly, greater decentralization of powers to the laboratories within each organization.

The expenditure on research and development and related scientific and technological activities in India has increased from Rs. 288.1 million in 1958-59 to Rs. 2,460.2 million in 1973-74. The central government met about 85 per cent of the total expenditure on science and technology in 1973-74, while the share of the state governments was about 5.5 per cent, and that of the private sector industries about 9.5 per cent.

Table below shows the expenditure on research and development and related activities in the country :

**Expenditure on scientific research and development and related activities**

	(Rs. in million)			
Central Government	1958-59	1965-66	1970-71	1973-74
CSIR . . . . .	50.994	141.389	215.573	250.077
DAE . . . . .	77.588	200.514	287.156	226.257
DRDO . . . . .	15.000	97.310	175.535	315.140
ICAR . . . . .	37.229	64.098	183.700	272.536
ICMR . . . . .	5.050	10.500	21.763	30.250
Space . . . . .	..	..	..	190.922
Other Ministries/Departments . . . . .	90.761	277.392	578.255	811.266
<b>Total</b> . . . . .	<b>276.622</b>	<b>791.203</b>	<b>1,461.982</b>	<b>2,096.448</b>
State Governments . . . . .	10.000	35.100	125.800	128.700
Private Sector . . . . .	1.500	24.300	145.900	235.100
<b>Grand Total</b> . . . . .	<b>288.122</b>	<b>850.603</b>	<b>1,733.682</b>	<b>2,460.248</b>

Source. : *Report on Science and Technology, 1970-71*, by COST; *Research and Development Statistics, 1973-74*, by NCST.

Expenditure on science and technology in India was 0.23 per cent of GNP in 1958-59 and 0.47 per cent of GNP in 1973-74; the corresponding figures for expenditure on scientific research and

development alone were 0.18 per cent and 0.39 per cent respectively. The expenditure on research and development has grown at an average annual rate of about 16 per cent.

In the central sector, the major scientific agencies, viz., CSIR, DAE, ICAR, DRDO, Space and ICMR, account for over 80 per cent of the expenditure on Research and Development. In the state sector over half of the expenditure on it is incurred on agricultural research. In the private sector, majority of the companies which maintain research centres are in the chemical and allied industries.

**Appendix I—CSIR Establishments and Industrial Research Associations****Council's Establishments**

1. National Physical Laboratory, New Delhi
2. Central Electronics Engineering Research Institute, Pilani
3. Central Scientific Instruments Organisation, Chandigarh
4. National Geophysical Research Institute, Hyderabad
5. National Institute of Oceanography, Goa
6. National Chemical Laboratory, Poona
7. Central Electrochemical Research Institute, Karaikudi
8. Central Salt & Marine Chemicals Research Institute, Bhavnagar
9. Regional Research Laboratory, Hyderabad
10. Regional Research Laboratory, Jorhat
11. Indian Institute of Petroleum, Dehra Dun
12. Central Food Technological Research Institute, Mysore
13. Central Drug Research Institute, Lucknow
14. Central Leather Research Institute, Madras
15. Indian Institute of Experimental Medicine, Calcutta
16. National Botanical Gardens, Lucknow
17. Regional Research Laboratory, Jammu
18. Central Indian Medicinal Plants Organisation, Lucknow
19. Indian Toxicology Research Centre, Lucknow
20. Central Fuel Research Institute, Dhanbad
21. Central Glass & Ceramic Research Institute, Calcutta
22. National Metallurgical Laboratory, Jamshedpur
23. Central Road Research Institute, New Delhi
24. Central Building Research Institute, Roorkee
25. Central Mining Research Station, Dhanbad
26. Central Mechanical Engineering Research Institute, Durgapur
27. National Environmental Engineering Research Institute, Nagpur
28. National Aeronautical Laboratory, Bangalore
29. Regional Research Laboratory, Bhubaneswar
30. Structural Engineering Research Centre, Roorkee and Madras
31. Publications and Information Directorate, New Delhi
32. Indian National Scientific Documentation Centre, New Delhi
33. Birla Industrial & Technological Museum, Calcutta

**34. Visveswaraya Industrial & Technology Museum, Bangalore****Cooperative Industrial Research Associations**

1. Ahmedabad Textile Industries Research Association, Ahmedabad
2. Bombay Textile Research Association, Bombay
3. Silk and Art Silk Mills Research Association, Bombay
4. South India Textile Research Association, Coimbatore
5. Wool Research Association, Bombay
6. Indian Jute Industries Research Association, Calcutta
7. Tea Research Association, Jorhat
8. Indian Plywood Industries Research Institute, Bangalore
9. Cement Research Institute of India, New Delhi
10. Automotive Research Association of India, Poona

## **Appendix II—Research Institutes under the Indian Council of Agricultural Research**

1. The Indian Agricultural Research Institute, New Delhi
2. The Central Arid Zone Research Institute, Jodhpur (Rajasthan)
3. The Cotton Technological Research Laboratory, Matunga Bombay (Maharashtra)
4. The Indian Grassland and Fodder Research Institute, Jhansi (Uttar Pradesh)
5. The Institute of Horticultural Research, Bangalore (Karnataka)
6. The Jute Agricultural Research Institute, Nilganj, Barrackpore (West Bengal)
7. The Jute Technological Research Laboratories, Calcutta (West Bengal)
8. The Indian Lac Research Institute, Namkum, Ranchi (Bihar)
9. The Central Plantation Crops Research Institute, Kasargod (Kerala)
10. The Central Potato Research Institute, Simla (Himachal Pradesh)
11. The Central Rice Research Institute, Cuttack (Orissa)
12. The Central Soil Salinity Research Institute, Karnal (Haryana)
13. The Indian Institute of Sugarcane Research, Rae-Bareilly (Uttar Pradesh)
14. The Sugarcane Breeding Institute, Coimbatore (Tamil Nadu)
15. The Central Tobacco Research Institute, Rajahmundry (Andhra Pradesh)
16. The Central Tuber Crops Research Institute, Trivandrum (Kerala)
17. The Indian Veterinary Research Institute, Izatnagar (Uttar Pradesh)
18. The National Dairy Research Institute, Karnal (Haryana)
19. The Central Inland Fisheries Research Institute, Barrackpore (West Bengal)
20. The Central Marine Fisheries Research Institute, Cochin (Kerala)
21. The Central Institute of Fisheries Technology, Ernakulam, (Kerala)
22. The Central Sheep and Wool Research Institute, Avikanagar (Rajasthan)
23. The Institute of Agricultural Research Statistics, New Delhi



## CHAPTER IX

# MEDICAL AND PUBLIC HEALTH SERVICES

## A. MEDICAL SERVICES

### I. Organization

The medical and health care system has undergone appreciable changes during the past century to fit into the changing situations and circumstances. In the early days, the health administration concerned itself generally with the relief of suffering. Prevention of sickness was a concept that came later with the knowledge and acceptance of modern theories of communicability of diseases. There was no organized attempt to meet the health requirements of the community as a whole. The idea of positive health was known in ancient India and Charaka defined the objectives of *Ayurveda* (the science of life) to be the cure of the ailing and diseased and promotion of health. However, the idea of positive health in its fullest form crystalized only after the country achieved independence. In the past when diseases and disability and premature deaths were considered to be normal conditions of man, it was sufficient to define health in terms of absence of specific disease and disability. Today the definition of health as a positive state of mental and physical well-being has been well accepted. This change in the definition of health has widened our responsibilities and there is an urgent need to improve and modify the services in relation to the needs of the community.

**Royal Commission of 1859 :** The first important land-mark in health in the country was the appointment of a Royal Commission in 1859 to enquire into the heavy mortality in the military and civil population in India. The Commission suggested that a public health authority with a sanitary commissioner at its head should be established. But very little progress was made until the importation of plague in Burma in 1896. This gave a real momentum. As a result of the Plague Commission in 1904, a Public Health Commissioner was appointed by the Government of India. At this time, the Government of India had practically full control over the provincial governments in public health matters. Subsequently, the introduction of Government of India Acts, 1919 and 1935 brought considerable reforms in provincial administration resulting in the re-allocation of

responsibilities of the central and provincial governments and medical administration was transferred to the provinces.

At the centre the health of the civil population came under the Department of Education, Health and Lands and the Director-General, Indian Medical Service with the Public Health Commissioner carried out the administrative functions relating to health at the centre and coordination of activities in the provinces.

**Health Survey and Development Committee :** This Committee (Bhore Committee), which was appointed by the Government of India in October, 1943 to make a survey of the existing position in regard to health conditions and health organizations prevailing in the country, made certain very valuable observations. The Committee found that the low standard of public health had reflected in high morbidity and mortality which were otherwise preventable. The Committee also found that the preventive and curative services were totally inadequate. The hospital services were concentrated mainly in the district town and served a small proportion of population. The main activities in public health were confined to the control of epidemics. Medical education was provided by a few institutions. There was only one doctor for 65,000 persons, one nurse for 43,000, one health visitor for 40,000 and one midwife for 60,000 population. Medical facilities in rural areas were insufficient and the quality was very poor. The main recommendations of the Committee were :

- (i) No individual should fail to secure adequate medical care because of his inability to pay for it.
- (ii) Health services should provide consultant, laboratory and institutional facilities for proper diagnosis and treatment.
- (iii) Health programme should lay emphasis on preventive work.
- (iv) Medical and preventive care should be provided to the vast rural population and services should be placed as close to the people as possible.
- (v) The unit of health administration should be made smaller.

The recommendations of the Committee were in the form of a short and a long-term programme based on an integrated, curative and preventive service manned by whole-time staff. In the short-term programme, the Committee proposed the setting up of a primary health centre to serve a population of 40,000 at the village level and this was to be supplemented by secondary health centre to serve as a referral centre. In the long-term programme it was proposed to set up district health organization with hospital facilities at the district level and establishment of sub-centres under the primary health centres.

The Committee further recommended that both at the centre and



the state levels the medical and public health departments should be combined under a single administrative head. This new outlook has permeated through different levels of health organization in the country and is reflected significantly in the administrative evolution of health department both at the centre as well as at the state levels.

Since the Bhore Committee report, there has been a tremendous change in the problems connected with health administration. With the attainment of independence in 1947, the responsibility of the government had fallen on the people of the country and consequently health and medical care in the country became the responsibility of the people. The political change necessarily affected the health administration.

The posts of Director-General of the Indian Medical Service and the Public Health Commissioner with the Government of India were abolished on August 15, 1947 and they were substituted by the post of the Director-General of Health Services who is now the principal adviser to the Government of India in both spheres of health administration. A similar change has taken place in most of the states to bring about coordination of the curative and preventive health activities.

The Government of India Act, 1935 had introduced three lists, namely, the Union List, the State List and the Concurrent List. In the new Constitution after independence, the principles of the three lists were retained and the general pattern of distribution of the functions under these lists remained almost the same as that of 1935 Act. Parliament alone has the right of making legislation in respect of the Union List, state legislature in respect of State List except under certain conditions and in regard to Concurrent List the Parliament and state legislature both can make laws. In so far as health is concerned the Union List includes port-quarantine, post-graduate medical research, international health, medical research, etc. The State List includes public health and sanitation medical care, etc. as state responsibility. In other words, health in the state is the concern of the state and each state is autonomous. The Concurrent List includes vital statistics, food adulterations, drug control etc.

**Health Planning :** With the phenomenal scientific and technological advances, there has been great change in the concept regarding health and illness. Traditional approaches have been discarded in favour of newer ones. Health now has become the concern of the whole community and the functions of the health administration include provision of total health care and protection of each of the individual and the family that collectively form the community.

Before independence, health programme in India had no real place in the social economy of the country. Only when epidemics

threatened to annihilate the communities, the authorities were stirred up for undertaking necessary public health measures. Programmes of mass campaign against communicable diseases were exception rather than the rule. Medical relief was meagre.

With independence, the position changed, both conceptually and materially. It has been well recognized that in terms of resources for economic development nothing can be considered of higher importance than the health of the people and to give effect to the social philosophy envisaged in the Constitution, health has been given priority.

A concrete shape to health policy was later given under the auspices of the Planning Commission set up in 1950, as a part of the overall social and economic development of the country.

The most important aspect of the planning structure that has developed in India since 1950 is that responsibility for planning is in fact widely shared. The states which are charged with the duties of execution also plan but do so within the frame-work set by the union government and on guidelines indicated by the Planning Commission with the approval of the central Cabinet and the National Development Council.

A section of health planning was created in the Planning Commission in October 1951 and in 1956 it was set up as a separate division. The main function of the division is to assist the Planning Commission in the formulation of the programmes to be included in the different Five Year Plans and to make an assessment of the progress achieved. For better coordination between the centre and states in regard to health planning a Bureau of Planning was constituted in 1965 in the Directorate General of Health Services. Similar Bureaus also exist at the state level.

Through successive Five Year Plans, the country is endeavouring to establish a viable and self-generating economy in order to raise the standard of living of the people within the foreseeable period.

Since independence, India has completed four Five Year Plans of development and the Fifth Plan commenced in April 1974.

There has been progressive increase in the outlays since the First Five Year Plan. Outlay on health plan represented 4.99 per cent of the total public sector outlay in the first, 4.62 per cent in the second, 4.15 per cent in the third and 6.92 per cent in the fourth Five Year Plan.

The First and the Second Five Year Plans incorporated the general policy for development of health with emphasis on control of communicable diseases, improvement of environmental sanitation including rural and urban water supply, provision of maternal and child health services, training programmes, health education and nutrition.

The broad objectives of the Third Plan were to expand the health services and increased emphasis was laid on preventive and public health services. The Fourth Plan programmes for expansion of medical and public health facilities were set within the targets suggested by the Health Survey and Planning Committee and efforts were made to provide effective base for health services in rural areas.

**Health Survey and Planning Committee :** This Committee, popularly known as Mudaliar Committee, was set up in August 1959 by the Government of India to assess the development in the field of medical relief and public health since the Bhore Committee report, and review the progress of health projects under the plans and recommend the lines of future planning of health development in India. The completion of the First Plan and the progress made in the Second Plan resulted in substantial achievement in the field of health and this necessitated the assessment of the existing situation resulting in the constitution of the Committee by the government. The recommendations of the Mudaliar Committee, in fact, form the basis of the present attempt by the government for establishment and improvement of health and medical care services in the country.

**Central Council of Health :** Under the Presidential order in August 1952, the Central Council of Health was set up with the union Health Minister as Chairman and state Health Ministers of all the states as members.

The functions of this Council are :

- (i) to consider and recommend broad lines of policy in regard to matters concerning health in all aspects, such as provision of curative and preventive care, environmental hygiene, nutrition, education and training facilities, research, etc. ;
- (ii) to make proposal for legislation in fields of activity relating to medical and public health matters, laying down the pattern of development for the country as a whole; and
- (iii) to make recommendation to the central government regarding distribution of available grants-in-aid for health purposes to the states and to review periodically the work accomplished in different areas.

**Basic Health Services :** The idea of developing primary health centres as a focal point for providing comprehensive, curative and preventive health services in the rural areas in the country, was first envisaged by the Bhore Committee in 1946. The objectives of the Bhore Committee in providing health services to the rural community could not be attained for various reasons mainly due to shortage of

funds and trained personnel. This had to wait till the independence in 1947. Since 1952, when community development project was started, primary health centres have been established in the country. Great emphasis has been placed on domiciliary approach so as to take the service to the community where awareness of the problem of ill-health and healthy living is still low.

Each primary health centre, when established, was supposed to cater to the needs of approximately 60,000 to 80,000 population in the rural areas. But the situation as it stands now, a primary health centre has a population between 1,00,000 to 1,20,000. Efforts are also made to bring into effect the concept of the primary health centre to serve as a base for intensive family health and welfare care.

The organizational pattern of the primary health centre, as worked out previously, had indicated considerable modification and changes in view of the intensification of the family planning programme as well as the change-over of the national malaria eradication programme to the maintenance phase.

A special committee appointed by the Government of India (Chadha Committee), while studying the arrangements necessary for the maintenance phase of national malaria eradication programme (NMEP) recommended measures for strengthening the rural health services which could take care of NMEP as well as to provide the basic health services to the rural population. The Committee felt that the large number of surplus NMEP staff who were already experienced in the field could be utilized with necessary training for the basic health services. The main objective was to integrate NMEP and to reorganize family planning staff with the existing health personnel in order to establish a multi-purpose domiciliary health service.

With the increasing tempo in the family planning programme, the need for further review and reorganization of this programme became apparent. Another committee (Mukherjee Committee) set up for the purpose, while recommending the strengthening of the administrative set up at different levels from primary health centres to state headquarters also recommended to some extent the delinking of other health activities from family planning in order that the latter could receive individual attention and could be carried as a crash programme.

The basic health services, as envisaged, could be in a position to take the additional maintenance responsibility as and when other programmes like smallpox, TB, leprosy, etc., reach the maintenance phase.

The Committee felt that while the objective of gradually organizing a comprehensive basic health services in the entire country is important and must be steadily pursued, it will be impracticable to attempt to

do this all at once because of inadequacy of resources.

**Health Situation :** At the time when the country became independent the death rate in the country was 27.4 per thousand, infant mortality rate 183 per thousand live births and expectation of life at birth 32.45 years for males and 31.66 years for females. About half the total number of deaths were among the children under 10 years of age and half of this occurred within first year of life. In rural areas 6.1 to 11.3 per cent of people were not well at any time. Malaria, diarrhoea, dysentery, typhoid, smallpox, etc., were rampant. Malaria, however, had the pride of place. The resources were inadequate. There was one doctor for 6,300, one nurse for 43,000, one health visitor for 4,00,000 and 1 mid-wife for 60,000 population. Medical institutions were mostly in urban areas with a few in the country-side. Literacy was very low with a rate of 23 per cent. Health services concerned mainly with medical relief and control of epidemic diseases. Organized attempt to meet the community health needs was conspicuous by its absence.

As a result of successful implementation of various health programmes remarkable changes in the health indices have been effected. Epidemics like malaria, smallpox, cholera, plague, etc., which took heavy toll of life are no more great killers. Death rate had come down from 27.4 in 1949-50 to 16.9 per thousand in 1972.

**Development of Institutional Facilities :** No aspect has received greater attention than the provision of medical facilities and training of health personnel. Yet the scarcity of trained personnel continues to be the most critical factor limiting the promotion of health. During the different plan periods professional training of physicians, nurses and associated health personnel have been expanded and improved.

The number of hospitals, dispensaries and clinics has increased from 7,400 in 1946 to 15,200 today. Correspondingly the number of beds has also increased. During 1972-73 there were about 3,78,000 beds in the country as compared to 80,163 in 1947. The bed population ratio works out to be 0.56 bed per 1000 population as against a ratio of 0.24 bed at the beginning of the First Plan. In spite of the enormous increase in the number of beds, the bed population ratio has not been appreciably changing because of tremendous population explosion. In addition, although there has been considerable expansion in the establishment of hospitals and dispensaries, still the medical care facilities are not readily available, particularly in the rural areas.

The problem of organization of mental health services for the whole country has been engaging the attention of the government for the last several years. The Health Survey and Development Committee provided the impetus for starting mental health training in the country. In 1961 Government of India constituted the Mental Health Advisory

Committee. This Committee recommended the improvement of the status of mental hospitals, standardization of post-graduate training etc. For advising the union government on matters of mental health, a part-time Adviser in mental health was attached to the Directorate General of Health Services. The Indian Council of Medical Research through its Mental Health Expert Group, sponsors research schemes in the field of mental health.

In the past, mentally ill were segregated from the rest of the community and the patients were considered as individual problems. But recent discoveries and advancements have revolutionized the care of mentally ill.

Although it is difficult to assess the problem, it has been suggested by various experts that approximately one to three per cent of the population is mentally retarded. Major social, cultural and economic changes during the recent years combined with rapidly growing population and rapid urbanization have contributed to the complexity of the problem.

In the absence of reliable statistics regarding prevalence of mental morbidity, the Estimate Committee in 1958-59, recommended a systematic survey for the estimation of the incidence of mental diseases in the country.

Morbidity surveys conducted in the 10 community development blocks in various parts of the country, during 1956-59, estimated the mental morbidity rate as 48 per one lakh of population.

Incidence rate of mental diseases amongst Central Government Health Scheme (CGHS) beneficiaries in Delhi was found to be 6.6 among government employees and 15.6 among non-employees beneficiaries per 1,000 population. The Indian Council of Medical Research (ICMR) survey in Agra area showed that the morbidity rate was 14.32 per 1,000 population.

Amongst the in-patients admitted in various mental hospitals in the country, psychosis accounted for 91 per cent of the total admitted and discharged.

There were 38 mental hospitals having 18,000 beds available in the country in 1971. Thus there were 3.3 beds per lakh of population. In addition, psychiatric wards in general hospitals are also functioning. There is an increasing realization that the organization of mental health services for the future will have to be done through community based services and the importance of psychiatric units attached to general hospitals in the country is being increasingly felt.

The problem of extending mental health services to the rural areas was a formidable one and has posed a challenge to the government and the professionals in the field of mental health. Mobile mental

health teams are, at present, the model for dispensing mental health services to the rural areas and such teams are in operation at Bangalore, Ranchi and few other places. Considering the limited economic and manpower resources, it is necessary to integrate mental health services with the existing health set-up. And this emphasis is being laid on community based mental health services which will reach even the remote rural areas.

**Problem of Cancer :** The problem of cancer is universal and its magnitude is no less in India. The incidence is rising because of the longevity of the population, the growing industrialization and alterations in many of the old habits and ways of life. Recently, because of the increased knowledge, better medical care and a growing awareness on the part of the public, cancer is being detected and treated earlier and more often than before resulting in the reporting of more and more cases. Cancer is essentially a disease found in older age-group generally occurring above age of 45 years. By reducing infant mortality and by adopting strict and efficient public health measures for the control of communicable diseases and also by raising of nutritional status, the life expectancy has risen to about 50 years. There are, therefore, more persons in older age-groups in the population today. It is, therefore, natural to have more incidence of those diseases which are peculiar to old age like diseases of heart and blood vessels, metabolic disorders and cancer. The incidence of cancer is likely to rise further in future as the life expectancy rises, and it may become a major public health and medical problem.

Cancer is not a notifiable disease and there are no accurate statistics available in the country on the extent of the problem. The limited surveys carried out from time to time regarding the morbidity, have also their own shortcomings. It is believed that about 2 lakh persons die annually of cancer. In the past, mortality data had been relied upon for measuring the problem of cancer though death statistics by themselves cannot define the problem adequately. The reliance now has to be placed on morbidity data based on clinical and hospital record, since a very small fraction of total deaths are reported in this country. Number of attempts have been made to estimate the rate of prevalence of cancer. Dr. Paymaster has estimated that about 85 new persons in every 1,00,000 in the population are affected every year.

Though cancer is prevalent throughout the world, the distribution of the types of cancer varies from place to place. The percentage distribution of malignant neoplasm in India is as under :

Oral Cavity	34.9%
Digestive Organs	10.2%
Male genitals	4.6%

Respiratory Organs	1.6%
Breast	7.4%
Female genitals	22.1%
Other sites	19.8%

**Organization of cancer research by the Indian Council of Medical Research** is one of its recent activities. The Council, in 1969, constituted an *ad-hoc* committee to advise in formulation of research programmes in the field of cancer. The Council has been supporting fundamental research, experimental carcinosis, clinical research and epidemiological studies in cancer.

In addition Tata Memorial Hospital, Bombay, and the Chittaranjan National Cancer Research Centre, Calcutta and other centres at Madras, Hyderabad, Trivandrum, Ahmedabad, Agra, Kanpur and New Delhi are also engaged in the study of cancer in the country.

**Rural Health Service :** India is essentially a rural country with 80 per cent of the population living in about 6 lakh villages, with very unsatisfactory sanitary conditions and poor economic and educational standards. The high toll of life is due to ill-health which is caused by preventable diseases. Before independence, limited health services were concentrated in towns and cities. The Bhore Committee gave shape to health centres and their general structure in rural India. The Committee found the level of health very low. Cholera, smallpox and malaria accounted for heavy mortality. The largest single cause of death was, however, malaria. The Committee observed that two-third of the mortality was avoidable and, therefore, medical relief should be provided in the rural areas.

The Committee recommended two types of programmes for rural population—one long-term programme aiming at providing a unit to serve the 10,000 to 20,000 population with necessary medical and para-medical personnel and a short-term programme to be implemented immediately with two doctors and public health staff for the population of 40,000. It was suggested in the short-term programme that there should be 30 beds for primary health centres. It was also suggested that primary units would be linked up with clinical units which should start with 200 bed hospitals to be ultimately raised to 500 beds for referral services.

In 1952 when the community development programme was launched with the active participation of the Ministry of Health, it was possible only to provide a primary health centre for a block having a population of 60,000 to 80,000 keeping in view the financial and other constraints. The aim was to establish one primary health centre in each development block by the end of the Third Five Year Plan. The functions of the primary health centres included medical care control of communicable diseases, maternal and child health



(MCH) and school health service, family planning, environmental sanitation, health education, etc. In 1963 when the number of malaria units were projected to enter into the malaria maintenance phase, it was realized that unless the primary health centres are strengthened with additional staff it would not be possible for these centres to undertake additional load of activities in the malaria maintenance phase. The expert committee known as Chadha Committee laid the foundations of what is known today as basic health services. This envisages that, in order to make the rural health service more comprehensive, it should take charge in a phased manner all the vigilance activities of malaria programme when it reaches the maintenance phase, and also of MCH, family planning, health intelligence and other activities.

Subsequently, when the family planning services were reorganized a special committee (Mukherjee Committee) recommended delinking of malaria vigilance activities from the family planning programme. This Committee recognized the need of basic health services in rural as well as urban areas. The Committee recommended one basic health worker for ten thousand population and one health inspector and one laboratory technician for a primary health centre. The Committee further recommended that all the basic health service staff should be under the overall control of the medical officer incharge of the primary health centre. Basic health services have been established in about 2898 primary health centres.

It was originally planned that all the community development blocks in the country should be provided with at least one primary health centre by the end of Third Plan. This could not, however, be achieved as only 4631 primary health centres were established up to March 1966. By September 1975, 5314 public health centres had been established. There were in some states more than one primary health centre in a block and at the same time there were 110 blocks in the various states without the primary health centres. There was one doctor each in 1974 and two doctors each in 3275 primary health centres and 65 primary health centres were without a doctor. The staffing pattern of primary health centres is based on the consideration that the basic infra-structure for eradication programme should be provided.

In spite of the attempts made to establish primary health centres in rural areas, the standard of health services still continues to be low. Concentration of health services and manpower has been mostly in the urban areas. The primary health centre and sub-centres have too large a coverage to be adequate and with the growth of population during the years their effectiveness has deteriorated. In order to bridge

this gap a "National Strategy for Health" has been formulated particularly with reference to the goals to be pursued during the Fifth Five Year Plan. The most important component of the strategy involves the rural areas and the main emphasis has been on rural health and removal of imbalance of the health services between rural and urban areas.

Although the government have approved the "National Strategy on Health" in principle but in view of the financial and other constraints "A Minimum Need Programme" has been approved in principle for the Fifth Five Year Plan. The activities which constitute the programme are :

- (i) establishment of 600 additional primary health centres;
- (ii) upgradation of 1500 primary health centres into 30 bed hospitals to act as referral centres;
- (iii) establishment of 8,000 sub-centres;
- (iv) augmentation of staff and supply of drugs in primary health centres and sub-centres; and
- (v) to cover the deficiency in the building of primary health centres and sub-centres.

A plan has also been worked out to organize the multi-purpose workers at the peripheral level. Each primary health centre will be divided into 3 sectors and each sector will have four sub-centres. In other words a primary health centre will have 12 sub-centres. At the sub-centre level there will be one male worker and a female worker. At the sector level there will be two supervisory workers— one male and one female and the present lady health visitor and health inspector will act as supervisors. At the primary health centre level there will be supervisory workers, one male and one female, who will supervise the work at the sectoral level under the overall guidance of the primary health centre medical officer.

At the district level each of the three deputy medical officers of Health Department would be responsible for supervising medical care and public health including family planning in five such primary health centre blocks. At the state level similarly there will be an officer for co-ordinating the work at district and primary health centre level.

In addition to the establishment of primary health centre the scheme for the "mobile training-cum-service hospital" in the rural areas has also been working. A mobile training-cum-service hospital operates under the medical colleges in the country. Several such mobile hospitals have been established and are functioning effectively. Each mobile training-cum-service hospital is provided with 50 beds. Accommodation is provided in tents for the hospital, staff, doctors, students and interns.

Training and service programme of students is carried in close collaboration and participation of the teachers from each department of the medical college.

It has been the experience that villagers appreciate very much the health and medical care services rendered by competent persons from medical colleges and made available near their homes. If this scheme is expanded, it will definitely provide a solution to the problem of rural community which constitutes 80 per cent of our country's population.

## II. Maternal and Child Health Services

The services for mothers and children aim at meeting the specific needs of these vulnerable groups of population.

Maternal and child health services were initiated by persistent efforts of voluntary organizations during the later half of the 19th century and the beginning of the 20th century. These organizations were motivated by the high rate of death among women at the time of child birth. Of these particular mention may be made of the Countess of Dufferin Fund, the Victoria Memorial Fund, the Lady Chelmsford All-India League for Maternal and Child Welfare and the Red Cross Society.

Prior to the appointment of Health Survey and Development Committee (Bhore Committee), a number of surveys which were conducted showed that the main causes of maternal deaths were puerperal sepsis, anaemia, toxæmia of pregnancy, abortion, hæmorrhage and accidents of labour.

The Bhore Committee was a landmark in the development of health service for mothers and children in the country. The Committee made a broad survey of the present position in regard to the health conditions and health organizations and made recommendations for future developments. The Committee observed that the vulnerable groups in any community which consists of (i) children, particularly those in the first year of life, (ii) women at the reproductive ages who are exposed to special risk during pregnancy and child-bearing, require special consideration. The Committee recommended that maternal and child welfare service organizations were an integral part of the general health service and the government should provide domicilliary and institutional treatment for expectant mothers as well for infant children.

In earlier days the preventive service for mothers and children developed under the Public Health Department whereas the curative services were provided through hospitals and were the responsibility

of medical department. This bifurcation of functions was not in the best interest of the health of mothers and children. The Government of India adopted the policy of merging the two separate departments into one organization for rendering integrated preventive and curative services required by the community. This philosophy of merging curative and preventive services under one head and taking the services to the poorer sections of the people is realized in the establishment of primary health centres and sub-centres in the rural areas. These primary health centres give special service to mothers and children. In the rural areas, however, they provide integrated service to the rural community. Thus, it was only with the formulation of Five Year Plans that organized and sustained efforts for developing the services on a nation-wide basis was made.

At the Government of India level under the Directorate General of Health Services, a Bureau for Maternal & Child Welfare was established under an Adviser in 1949. When the Department of Family Planning was established, the Adviser to Maternal and Child Welfare Bureau was transferred to that department and was redesignated as assistant commissioner.

At state level, a Bureau of Maternal and Child Health and Family Planning functions under the Directorate of Health Services. The Bureau is run by an officer who provides technical guidance to the personnel working at various levels. At the district level, the chief medical officer of health is assisted by an officer for family planning and maternal and child health services. At the primary health centre level, the medical officer is responsible for such services and is helped by public health nurse and lady health visitor. At the sub-centre level, which is the most peripheral point of health organization, the auxiliary nurse mid-wife provides routine care for mothers and children in the population assigned to her which for the present is 10,000.

Although the Health Department has the major responsibility, other departments like local self-government, community development and social welfare and education are also involved in providing services to mothers and children.

Voluntary organizations like the Indian Red Cross Society, the Indian Council for Child Welfare, Kasturba Society for the Rehabilitation of Physically Handicapped Children and many other voluntary organizations participate in the health care of mothers and children.

Although the services were restricted to the urban areas in the pre-planning period, it has now been possible to build up a net-work of institutions in the rural areas for the benefit of mothers and children. The target to have one family welfare sub-centre for every 10,000 of rural population has not yet been realized in all the states. A few states

have already achieved the target but the majority of them are yet to achieve this mainly because of the dearth of trained persons. The facilities for the institutional services for mothers and children have also been considerably improved though much below the requirements. The number of maternity hospital beds which stood at about 10,000 at the beginning of the First Plan has now increased more than four-fold to about 48,000. More than 9,000 hospital beds for children have been provided. 7,100 maternity centres are functioning in the rural areas and 404 maternity hospitals in urban areas in addition to maternity wards in general hospitals.

Even though the governmental and voluntary organizations have built up a net-work of services in the rural areas, the machinery is not adequate to meet the needs of the community. It has been reported that out of the births that take place in the homes, only 11.3 per cent are attended by recognized and professional persons and the rest are attended by unrecognized and non-professional persons. This includes the traditional birth attendants (*dais*) who practise mid-wifery as hereditary profession without any formal training. As the hereditary system of mid-wifery care is found to be acceptable to the community, it is the policy of the government to make use of them in case of normal child births. Suitable incentives are provided to the *dais* to undergo the training and to work under the supervision of health personnel.

Immunization against smallpox, tuberculosis, diphtheria, whooping cough and tetanus are provided free to children and also supplementary feedings to control nutritional deficiencies.

Measures adopted during the Fourth Plan have improved maternal and child health but much remains to be done. Greater emphasis needs to be laid on the health needs of the rural mothers and children. The needs for maternal service in urban areas, especially the urban slums, will also have to be met by opening more maternal homes and maternal and child health centres. Institutional facilities for high risk mothers have to be augmented. To give effect to this, it has been envisaged to upgrade a number of primary health centres into referral hospitals with obstetricians and gynaecologists as specialists.

The progress in maternity and child welfare services in this country provides hope for the future for a sound health programme for mothers and children. This is a wide field which requires to be covered in respect of health services for all mothers and children of the country to allow each child full opportunity for normal physical, mental and social development.

### III. Nursing Services

Nursing services have been known in India since ancient times. However, during the British period the first army nursing sister came in 1888 and in civil hospitals matrons were appointed. Afterwards many nursing training programmes were organized. The first step towards the establishment of Registration Council was taken in Bombay in 1903 and Bombay Presidency Nursing Association was formed in 1909. The Professional Nursing Association was organized in 1905 and in 1922 the Trained Nurses Associations in India came into existence. The first Registration Act to be passed was the Madras Nurses and Mid-wives Act, 1926. Gradually, Registration Acts for Punjab, Bihar, Bengal and Orissa were also passed.

To establish uniform standards in nursing education, the Indian Nursing Council Act was passed in December 1947 and the Council was constituted in 1949. The Bhore Committee appointed by the Government of India observed that in 1946, there were 7,000 registered nurses, 21,531 mid-wives and 635 health visitors for providing curative and preventive nursing service to the community. The recommendations of Bhore Committee provided for establishment of 100 training centres for nurses on long-term basis.

The Shetty Committee set up by the Government of India to review the conditions of service, etc. of the nursing profession drew the attention of the planners to the problem. The Committee recommended (i) the appointment of nursing superintendent in each state; (ii) the continuation of hospital nursing and public health nursing; (iii) and provision of a minimum standard of nursing in the existing hospitals and public health services.

The recommendation on the appointment of nurses at state level is being implemented by appointing nurses for supervisory work at state headquarters.

There are now 262 schools of training, 343 for auxiliary mid-wife-cum-nurse and 24 colleges providing basic and post-basic degree in nursing. There are two colleges providing master's degree in nursing. Emphasis is also laid on the specialization in public health nursing. The main problem in the nursing service is the mal-distribution of nurses in the country and inadequate job opportunities for qualified nurses in the states.

Attempts to establish single cadre of nursing personnel for every hospital are being made. Factual studies are being conducted to establish practical norms and nurse-patient ratio and for staffing the hospital units. The Shetty Committee, however, suggested the following norms :

- (i) One nurse (also qualified in mid-wifery for women's and maternity services) including students to three patients in hospitals used for teaching and one nurse for five patients in other hospitals.
- (ii) One mid-wife to 100 births in rural areas. In towns and cities in compact areas, 1 mid-wife to 150 births.
- (iii) One public health nurse or health visitor to 10,000 population.

With a change in trends in health care at periphery level, greater emphasis is laid on preparing health personnel to work in the community.

With the changed trend in the health care programme and emphasis on delivery of services at periphery level, greater need is anticipated for preparing health personnel to work in the community. The Indian Nursing Council has already started looking into the present system of nursing education. The present emphasis is to establish nursing education within the existing system of national education and the Council is looking into the ways and means of bringing this change. This will envisage a major policy change in the training programme of nurses from service-oriented to education-oriented with major emphasis on community health and family planning.

In the nursing service, efforts are being made to bring back nurses to bed-side care in institutions. Duties like clerical work, maintenance of drugs account, linen account and house-keeping, which take a lot of nurses' time, are being gradually replaced by establishing centralized services. By relieving the nurses of non-nursing activities and better utilization of their skill in patient care, it is envisaged that health care in hospitals will appreciably improve.

#### IV. Indian Systems of Medicine and Homoeopathy

The development of indigenous systems of medicine has gained considerable tempo since independence of the country. The Government of India have been providing progressive funds for the development of the Indian systems of medicine including *Ayurveda*. Due to the popularity of the *Ayurvedic* system of medicine amongst the masses the Government of India have recommended that along with the modern scientific medicines (Allopathy), the state governments might also include the *Ayurvedic*, *Unani* and Homoeopathic systems of medicine for the development of the national health service in the country. In addition Indian systems of medicine have also been recognized for purposes of reimbursement of medical treat-

ment under the Central Services (Medical Attendance) Rules. Facilities for *Ayurvedic* treatment have been provided for CGHS beneficiaries.

A Central Council of Indian Medicine was established by the Government of India by an Act of Parliament mainly to evolve uniform standards of education in Indian systems of medicine and to maintain a Central Register for these systems. The Council has already prescribed minimum standards of education for *Ayurveda*, *Siddha* and *Unani* systems and circulated the prescribed standards to the various state governments in the country.

The manpower position in *Ayurveda* can broadly be categorized as under :

(i) Those who have received full concurrent training in modern and Ayurvedic systems of medicine and can use both in their practice . . . . .	7,000
(ii) Those trained mostly in <i>Ayurvedic</i> medicine but also have some elementary knowledge of modern medicine . . . . .	43,000
(iii) Those who have not received any formal training in any institution but have obtained diplomas in <i>Ayurvedic</i> after taking examinations . . . . .	1,50,000
(iv) Those who have neither undergone any institutional training nor acquired any qualification but practice Ayurvedic medicine mostly in the rural area after gaining experience as apprentices working with <i>Ayurvedic</i> physicians . . . . .	2,00,000
	<hr/> 4,00,000

Of the above, 1,56,000 persons are registered as *Ayurvedic* practitioners with State Boards of Indian Medicine. Similarly, 15,500 and 25,000 persons respectively are registered with State Boards as practitioners of *Siddha* and *Unani* systems of medicine. Out of these 700 *Siddha* practitioners and 700 *Unani* practitioners have undergone institutional training.

There are at present 89 colleges in *Ayurveda*, one in *Siddha* and 12 in *Unani*. Majority of the colleges of *Ayurveda* are affiliated to the respective universities in the state in which they are established. More than 2,000 *Ayurvedic*, *Siddha* and *Unani* graduates are coming out every year from these institutions. Besides two full-fledged post-graduate institutions in *Ayurveda* at the Banaras Hindu University, Varanasi and the Gujarat Ayurveda University, Jamnagar, there are 13 post-graduate departments in *Ayurveda*, 2 in *Unani* and 2 in *Siddha* functioning in Andhra Pradesh, Kerala, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh. These institutions and departments turn out about 150 post-graduates every year. They specialize in different branches of these systems of medicine.

All the post-graduate institutions and departments are wholly financed by the Government of India and under-graduate colleges are



either financed or run by the state governments. The Government of India also provides partial financial assistance to some of the privately run colleges under these systems of medicine for construction of college building, equipment etc. So far financial assistance amounting to Rs. 34 lakhs has been given to the various under-graduate colleges run by voluntary organizations for this purpose.

A Central Council for Research in Indian Medicine and Homoeopathy established as an autonomous body is engaged in intensive research in the different fields in the *Ayurveda*, *Unani*, *Siddha* and Homoeopathy medicines including *Yoga*. The Council has established 15 full-fledged research institutions for carrying out multi-disciplinary research. Apart from these about 130 research schemes are functioning in different parts of the country under the Council. The Council has also taken up among other schemes drug research, literary research, clinical research, mobile clinical research and survey of medicinal plants throughout the country. The Council has finalized working standards of 391 preparations, prepared 5638 identified herbarium sheets, cultivated about 1225 plants at experimental gardens, surveyed about 130 forest divisions and areas of the country for the exploration of medico-botanical wealth and collected about 1500 folklore claims. Besides the Council has also prepared a graded *Yoga* syllabus which is being presented for introduction at various levels of the school educational system. In addition, the Council has prepared an *Ayurvedic* medical kit and published a book containing simple remedies in *Siddha* for common ailments. Similar books in *Ayurveda*, *Unani* and Homoeopathy are also under publication.

An amount of Rs. 2,318 lakhs was proposed for the development of the Indian systems of medicine during the Fifth Plan but the Planning Commission have recommended an allocation of Rs. 635 lakhs for the central schemes relating to Indian systems. In addition an amount of Rs. 45 lakhs has also been approved in the Fifth Plan under the centrally sponsored schemes for the upgrading of departments for post-graduate training and research in Indian systems and the development of pharmacies and herb-gardens. Besides an amount of Rs. 1550.07 lakhs has also been provided in the state sector for Indian system of medicine schemes relating to education, medical aid and pharmacies. Under the Plan the following central schemes have been included :

Provision during Fifth Plan

(Rs. in lakhs)

- (i) Upgrading of departments for post-graduate training and research and expansion and development of post-graduate institutes at Jamnagar, Varanasi and Aligarh . . .

40.00

(ii) Central Council of Indian Medicine . . . . .	15.00
(iii) Expansion of Advisorate of Indian Systems of Medicine . . . . .	0.50
(iv) Grant-in-aid to voluntary organizations for upgrading of under-graduate colleges of Indian systems of medicine . . . . .	0.80
(v) Establishment of Central Pharmacy . . . . .	15.00
(vi) Establishment of an All India Institute of Indian Medicine (new scheme) . . . . .	20.00
(vii) Central Council for Research in Indian Medicine and Homoeopathy . . . . .	440.00
(viii) Orientation training for drug inspectors . . . . .	1.00
(ix) Text-books for under-graduate education in <i>Ayurveda</i> , <i>Unani</i> , <i>Siddha</i> (new scheme) . . . . .	0.50
(x) Development of Nature Cure System . . . . .	20.00
(xi) Development of Pharmacopoeial Laboratory, Ghaziabad . . . . .	3.00

### Centrally Sponsored Schemes :-

(i) Strengthening of the existing post-graduate departments in Indian Systems of Medicine . . . . .	220.00
(ii) Development of Pharmacies and herb gardens . . . . .	230.00

Almost all the state governments have established their own pharmacies of indigenous medicines to meet the requirements of drugs for their dispensaries and hospitals. In addition, more than 600 privately run pharmacies are also functioning in the country. The drug control of these systems is being enforced by the state governments under the Drugs and Cosmetics Act. In addition to various hospitals and dispensaries mentioned earlier, Government of India have also established 5 *Ayurvedic* and one *Unani* dispensaries under the Central Government Health Service Scheme at Delhi. It has also been decided to establish an *Ayurvedic* hospital in Delhi and *Ayurvedic* dispensaries in Allahabad, Kanpur, Calcutta, Madras, Nagpur, Bombay and Meerut under the CGHS. *Ayurvedic* dispensaries are also functioning under the Coal Mines Development Authority and Employees State Insurance Scheme. Government of India have also amended the Central Government Medical Attendance Rules to provide the benefits of reimbursement of expenditure incurred by the central government employees for their medical attendance and treatment and of their families in non-allopathic systems of medicine.

It has been decided to establish National Institutes of *Ayurveda*, Homoeopathy and Naturopathy at Jaipur, Calcutta and Poona respectively. Similar institutes in *Unani*, *Yoga* and *Siddha* will also be set up in due course.

The Central Council for Research in Indian Medicine is to be re-named as Indian Council of Indigenous Medicine with 6 Boards each for *Ayurveda*, *Unani*, *Siddha*, nature cure, *Yoga* and Homoeopathy with a view to give an autonomous status to these systems. Apart from financing

the existing post-graduate research institutions and departments, the government also propose to establish in the near future more post-graduate departments in different states. To cater to the requirements of drugs of these systems and to increase the all-round availability, there is a proposal to establish a Central Pharmacy at Ranikhet as a public sector undertaking. The government also propose to give financial assistance to state governments for development of pharmacies and herb gardens in their own states.

### V. Health Education and Training

The Central Government Health Scheme (CGHS) is a social welfare scheme under which both the employers as well as the employees contribute. The Central Government Health Scheme, previously known as Contributory Health Service Scheme was introduced in Delhi in 1954 by the Union Ministry of Health for central government employees and members of their families and also to serve as a pilot scheme before the introduction of national health scheme.

Prior to the introduction of the CGHS, the central government servants and members of their families were entitled to free medical care with many reservations under Central Service (Medical Attendance) Rules, 1944. Under this system, they had to initially incur the expenditure on the medical treatment and get reimbursement of such expenses from the government to the extent admissible under the rules.

Under the present scheme, the government employees make a monthly contribution ranging from 50 paise to Rs. 12 per month according to the pay group. The scheme has made considerable progress since its inception and the number of dispensaries and corresponding staff has been gradually increasing. A number of semi-government institutions and statutory bodies, autonomous organizations and the members of Parliament have been covered by the scheme. The scheme also extends to central government pensioners and to general public in certain areas.

Provision has also been made for treatment in *Ayurvedic* and Homoeopathic systems of medicine to the beneficiaries.

The scheme provides free medical attendance, specialized consultation including laboratory and X-ray investigation, treatment in hospitals, supply of medicines, family planning and domiciliary services.

At present the number of Allopathic CGHS dispensaries in Delhi is 61. Besides 2 mobile dispensaries, 5 *Ayurvedic* and 3 Homoeopathic dispensaries, 1 *Unani* and 3 first-aid posts, are also functioning. The number of families covered by the scheme was about 2.97 lakhs in

1974-75 accounting for about 12.45 lakh beneficiaries.

In 1963, the scheme was extended to Bombay where 14 static dispensaries, 2 sub-dispensaries, 1 *Ayurvedic* unit, 1 Homoeopathic unit and 1 mobile dispensary are functioning. A polyclinic to provide specialist consultation is also functioning. Posts and Telegraphs employees, civilian defence and non-industrial employees are also being covered.

Considering the success and visualizing the comprehensive facilities provided by the scheme, the Health Survey and Planning Committee recommended its early extension to cities where there is a sizeable population of central government employees. At present the scheme also covers Calcutta and Nagpur.

The process of expansion of the scheme is to be continued further in the Fifth Plan. In Delhi more dispensaries have been opened to include areas so far not covered under the scheme. During the Fifth Plan, the scheme has been further expanded in the cities of Bombay, Kanpur and Calcutta where it had already been started. Further, it is contemplated to extend the scheme to 18 new cities during the Plan period. The aim is to establish the scheme in all cities having a concentration of 7,500 families or more of central government servants in the near future.

**Employees' State Insurance (ESI) Scheme :** Till the beginning of 19th century, there was hardly any statutory provision in our country which could guarantee medical care to the industrial workers who fell ill or were otherwise disabled. The Fatal Accidents Act, 1858 and the Workmen's Compensation Act, 1923, and the Maternity Benefit Act provided for some compensation in case of accidents, injury and maternity.

The ESI Act passed in 1948 is considered to be the first measure of social security and health insurance in this country. It provides for certain cash and medical benefits to the industrial employees in cases of sickness, maternity and employment injury. The Act has provided an adequate scheme of health insurance for industrial workers with medical care serving as a pivot on which cash benefits of sickness, maternity and employment injury rests. The Act envisages six benefits, *viz.*, (i) sickness benefit, (ii) disablement benefit, (iii) maternity benefit, (iv) dependence benefit, (v) funeral benefit, and (vi) medical benefit.

The most important benefit provided under the Act is the medical care to which an insured person becomes entitled from the very day he joins employment. At present, full medical care including hospitalization is provided to all insured persons. Their families, however, get (i) restricted out-door medical care through ESI dispensaries, or clinics or panel doctors, (ii) expanded medical care providing facilities short of hospitalization, or (iii) full medical care including hospitalization.

Arrangements for medical treatment are made through full time dispensaries, part time dispensaries, mobile dispensaries and the panel system. The panel system arrangements for out-door medical treatment are made at the clinics of registered medical practitioners called Insurance Medical Practitioners who are paid remuneration quarterly according to the number of employees attached to them.

The medical facilities provided to the employees under the Factories Act are also utilized under the scheme and made available to the industrial workers provided the standard of medical care in such dispensaries is not less than what is available at the full time dispensaries established under the scheme. Round the clock emergency services are available for beneficiaries in selected centrally situated institutions where medical officers and pharmacists are on duty.

While the objective of the Employees' State Insurance Corporation was to afford medical treatment to the family members of workers, the shortage of personnel and other difficulties prevented it. It has not been possible so far to provide full medical care to the families of insured persons in every state. While some states have, however, found it possible to arrange for full medical care, in a majority of other states, only expanded medical care is available to family members of the industrial workers.

Besides medical care, the insured persons are provided with artificial limbs, dentures, spectacles, hearing aids and compensation for loss of wages.

This scheme which came into force in Kanpur and Delhi in 1952 has been progressively extended to several industrial centres over the country and currently covers about 43.03 lakh employees in over 350 centres in 16 different states and 2 union territories. The total number of beneficiaries entitled to medical care is 184.04 lakhs. Looking into the achievements so far, it would not be futile to claim that the era of comprehensive medical care in employees' state insurance is not at all distant.

## **VI. Prevention and Control of Communicable Diseases**

The remarkable improvement reflected through the changes in the health indices is chiefly due to successful implementation of various diseases control and eradication programmes launched during the First and subsequent Plan periods. Diseases like malaria, cholera and small-pox have been controlled to a great extent whilst there are other diseases like tuberculosis, leprosy, typhoid, influenza, diphtheria, etc., yet to be brought under effective control. The objective of complete

freedom from communicable diseases will require considerable inputs and involve monumental effort.

**Sources and Limitations of Data :** The data on morbidity and mortality available from different sources lack uniformity and is deficient in coverage and quality. For instance, although registration is in vogue for more than 80 years or so, the data still suffers from incompleteness of coverage and is also deficient in uniformity and quality. Further, the registration system covers only a few diseases like cholera, small-pox, plague, dysentary and diarrhoea, respiratory diseases, fevers, accidents and injuries and the rest are clubbed together in the residual group "other diseases".

Notification system is also not uniform and differs from state to state. Only cholera, small-pox and plague are notifiable throughout the country. Even for the notifiable diseases, the figures of incidence are under-reported and sometimes even the cause of death is not correctly given. The extent of under-reporting or wrong reporting varies from time to time and from place to place. No large scale study has been done to throw light on this problem.

The other important source of information on morbidity is the surveys carried out under different disease control programmes. Some of these studies, however, do not give any information on reduction in prevalence or incidence.

The registrar-general of India has introduced a scheme of medical certification of cause of death according to the international classification of diseases prescribed by World Health Organization (WHO) in some areas like West Bengal, Rajasthan, Poona, Nagpur, Bombay and Goa, Daman & Diu. The analysis of the data provides useful information on morbidity. The data available in respect of patients treated in medical institutions are also of limited value because of incomplete coverage. This data is being classified according to the international classification of diseases but it lacks uniformity.

Although many communicable diseases are important in view of their contribution to total morbidity and mortality, the statistical data is available only for a few diseases. Diseases for which regular series of data is available are cholera, smallpox and plague. Data for some other communicable diseases like malaria, filaria, leprosy, trachoma and tuberculosis is also available as these diseases have been brought under the national control and eradication programmes.

**Malaria :** There has been a significant reduction in malaria cases in the country. The total cases reported up to October 1972 was 0.88 million as compared to 75 million cases in 1952. The progressive decline in the incidence of malaria was observed since the inception of national malaria control programme in 1953. The control pro-

gramme was switched over to national malaria eradication programme in 1958-59. Under the programme, while the union government participates in the activities such as planning, training and evaluation and procurement of supplies and co-ordination, the state governments are responsible for the implementation.

547 million population is covered in 393.25 units under the national malaria eradication programme. The phasing of the units during 1972-73 was attack phase—98.429 units covering 132 million population ; consolidation phase—68.365 units covering 93 million population ; and maintenance phase—226.456 units covering 322 million population.

Up to 1964, the progress of the programme had been very satisfactory. But unfortunately, there had been a set-back to the programme since 1965. Therefore, a realistic rephasing of the programme was done in 1968. Consequently, 71.385 unit areas were reverted to 'attack phase' to ensure once again a timely insecticidal coverage overlapping the transmission period.

A committee constituted by the Government of India (Madhoik Committee) studied the factors responsible for the set-back in 1969. On its recommendations, an evaluation team reviewed the programme. The recommendations of the team, submitted in November 1970, were mostly accepted.

The measures adopted to encounter the factors for the set-back are as follows :

- (i) Steps have been taken to procure insecticides in advance in requisite quantity to solve the problem of their delayed procurement. To provide adequate funds to states, the programme has been made as centrally sponsored scheme, with 100 per cent assistance on operational cost besides free supplies of material and equipment. For development of basic health services, this programme has also been made 100 per cent centrally assisted since April 1969.
- (ii) For tackling urban malaria problem in 22 towns with high incidence during 1971-72, the centre would provide financial assistance to local authorities. With a view to intensify anti-larval measures in these areas material and equipment would be supplied by the centre apart from meeting the operational cost as per norm laid down by the Department of Health.
- (iii) For areas where vectors seem to have developed resistance both to DDT and BHC, an alternate insecticide, malathion, has been supplied.

**Smallpox** : From the earliest times, smallpox has scourged various parts of the world. Though means for prevention have been known since the end of the 18th century, the disease is still endemic in most of the countries in Asia, particularly India. However, in India a steady decline in mortality due to smallpox as well as frequency of epidemic has been noticed.

A study on the endemicity of smallpox in India was carried out by the Central Bureau of Health Intelligence, Directorate General of Health Services. Classification of districts according to the different categories of endemicity was done on the basis of (i) level of persistence as measured by percentage of weeks reporting incidence, and (ii) average minimum monthly incidence rate.

On the basis of these observations, all the districts of the country were classified into three categories of low endemicity, intermediate endemicity and hyper endemicity.

Under the national smallpox eradication programme launched in the last quarter of 1962, systematic primary vaccination, re-vaccination with potent freeze-dried smallpox vaccine and intensification of surveillance and containment measures are under way on nation-wide basis.

Due to the implementation of the programme, the morbidity and mortality due to the disease has considerably decreased. The main emphasis of the programme is on surveillance measures for early case detection and outbreak containment measures to prevent further spread of the disease.

There was, however, an increase in the number of cases of smallpox in 1973 as compared to 1972. As a result, 87,599 cases with 15,348 deaths were reported in 1973 as against 27,407 cases with 5,457 deaths in 1972. This increase is attributed to the improved system of reporting and surveillance activities which have been strengthened.

It has been observed that the cases recorded during 1972 were mostly concentrated in three states — Bihar, Uttar Pradesh and West Bengal. In so far as other states are concerned, the situation has improved considerably. In Tamil Nadu, no smallpox case has been reported during the last two years. An intensive smallpox eradication campaign was initiated with the main strategy of active search for smallpox cases followed by containment of the detected outbreaks in July 1973. At the beginning the main focus was on the four endemic states viz. U.P., West Bengal, Bihar and Madhya Pradesh which were responsible for 95 per cent of the cases in 1973. The campaign was extended to all the states gradually. Additional inputs in the form of epidemiologists, junior doctors, vehicles, publicity material



and forms were supplied to the states for effective implementation of the programme. As a result of intensive surveillance in 1974, 1,88,003 cases with 31,262 deaths were reported. Due to the fast and adequate containment of the detected outbreaks in 1975 there were only 1,436 smallpox cases with 176 deaths in the country. The last indigenous smallpox case has been reported from Katihar district of Bihar with the onset of illness on May 17, 1975. After that only one importation in Cachar district of Assam (from Bangladesh) has been detected with the onset of illness on May 24, 1975. Since June 1975 no smallpox case has been detected and the country has been declared smallpox free.

Surveillance will be continued for two years after the last case to detect any hidden foci or importation. This is being done by periodic search for smallpox cases, publicity for reward of Rs. 1,000 for detection of smallpox outbreak, responding to all information of fever with rash cases for verification of diagnosis and intensification of the vigilance by all health workers. The programme is being assisted by WHO in the form of provision of epidemiologists, payment of allowances to different categories of staff, supply of vehicles for ensuring mobility and publicity.

India is producing freeze-dried smallpox vaccine in 4 centres namely, the Institute of Preventive Medicine, Hyderabad, Andhra Pradesh ; the King Institute, Guindy, Tamil Nadu; Vaccine Institute, Uttar Pradesh; and Vaccine Institute, Belgaum, Karnataka.

**Cholera :** Outbreak of cholera in India has been reported since time immemorial. Indeed India has been known to be the home of cholera. From India infection spread in the past to other countries by sea and land-routes.

To meet the cholera menace, the national cholera control programme has been launched. It aims at eliminating the endemic foci through surveillance and timely remedial action supported by provision, within limited resources, of protected water supply and sewerage systems. The programme has been started in the states with large endemic areas.

According to the study made by the Central Bureau of Health Intelligence, Directorate General of Health Services, the districts in the country have been classified into three categories as low endemic, intermediate endemic and hyperendemic.

Effective control measures are taken at large fairs and festivals. Adequate quantities of cholera vaccine of prescribed standard are produced in the country to meet the needs.

**Tuberculosis :** A sample survey conducted under the auspices of Indian Council of Medical Research showed that the number of active

and probably active cases varied from 13 to 25 per thousand population whereas the bacillary rate varied from 2 to 8 per thousand population. One of the significant features revealed by the survey was the absence of any marked difference with regard to the prevalence of the disease in cities, towns and villages. Another important finding was that the prevalence rate of the disease was lower in females than males especially in the age groups above 25 years.

In order to control the problem of TB, the national tuberculosis control programme was launched in 1949. The aim of programme is to reduce the infection in the community so that not only the existing patients are cured but the danger of fresh infection to the susceptible population is reduced.

Under the programme, 547 TB clinics are functioning in the country. Two hundred and eighty four clinics have been upgraded as district TB centres undertaking district-wise TB programme.

The BCG vaccination programme is being conducted as an integral part of national TB control programme. A pilot study for introducing BCG vaccination in India was started in 1949. The mass BCG vaccination campaign which was started in 1951 is the largest of its kind in the world. A total of 282 teams have been functioning and 250 million people have been tuberculin-tested and nearly 170 million have been BCG vaccinated. The objective is to provide one BCG team in each district and to give BCG vaccination to all new-borns.

The TB Chemotherapy Centre at Madras, set up in 1956, assesses the relative merits of treatment of TB patients at home and in a sanatorium. The centre also evolves inexpensive but effective drugs which can be readily applied on a mass scale.

The National TB Institute, Bangalore, has been recognized as an international centre. Various research activities pertaining to all aspects of the problem are being conducted in this institute. A post-graduate diploma course in TB and other chest diseases is also conducted at the Vallabhbhai Patel Chest Institute, Delhi.

**Leprosy :** Leprosy today is changing from a legendary mysterious evil to a disease which is being treated like any other that modern science understands.

In India, leprosy is fairly wide-spread with an estimated 300 million people living in endemic zones. There are about 32 lakh leprosy cases. Of these, about 8 lakhs are infectious. Leprosy is a major public health problem in 8 states — Andhra Pradesh, Bihar, Maharashtra, Karnataka, Orissa, Tamil Nadu, Uttar Pradesh and West Bengal. Nearly half of the leprosy cases are in Tamil Nadu and Andhra Pradesh.

For providing modern treatment to leprosy patients, the national

leprosy control programme was undertaken in 1955. The programme is now covering almost all the pockets of high and moderate endemicity. As on November 1975, 319 control units and 3,076 survey education and treatment centres were functioning. 40 voluntary organizations and 8 control projects run by the international agencies are also participating. To integrate leprosy control work with the general health services, these centres are attached to the primary health centres, hospitals and dispensaries.

The Central Leprosy Teaching and Research Institute, Chingleput, Tamil Nadu, set up in 1955, conducts research in leprosy. There are also 13 government and 6 voluntary centres to train both medical and non-medical personnel. Facilities for reconstructive surgery for the deformities of hands, face and feet have been provided in 30 hospitals. Concerted efforts are being made to remove prevalent stigma against the disease by stressing that leprosy is curable.

**Plague :** Plague which was once a dreaded disease has been completely eliminated and no case of human plague has been reported in the country since 1967. This achievement has been mostly due to the efficient DDT spraying under the national malaria control programme and other measures under the plague control activity. A team of the National Institute of Communicable Diseases is keeping constant vigil on the endemic foci of plague in 3 districts of Chittoor (Andhra Pradesh), Salem (Tamil Nadu), and Kolar (Karnataka).

**Filariasis :** Filariasis, commonly known as elephantiasis, is widely prevalent in India. Over 136 million people are exposed to the risk of filaria with 8 millions having filaria manifestation and 12 millions with microfilaria in their blood.

The national filaria control programme was launched in 1955. At present, 142 filaria control units, in various endemic states and union territories are carrying out antilarval operations in urban areas. Besides, 12 specialized units are also operating for co-ordinating the control activities.

Recently, a central survey team has been set up to conduct survey in hitherto non-endemic areas. The team conducted surveys in mainly industrial towns of Rajasthan, Punjab and Haryana.

Three Regional Filaria Training and Research Centres, one each at Calicut (Kerala), Rajahmundry (Andhra Pradesh), and Varanasi (Uttar Pradesh) have been set up to train personnel, conduct research and to maintain liaison with the participating states and union territories.

In order to take a stock of the programme, an assessment committee assessed the programme in 1971. The recommendations of the committee have been accepted in principle by the Government of

India.

**Trachoma** : Trachoma is a communicable eye disease. It has been recognized that trachoma and associated infections are responsible for 60 to 80 per cent of the preventive blindness in the world, specially in the under-developed countries of the world, including India.

In 1956, the Government of India established trachoma control pilot survey to study and recommend control measures. On the basis of the survey, it was observed that the inter-state prevalence varied from 79.1 per cent in erstwhile Punjab to 0.5 per cent in West Bengal.

In high endemic areas, it has been noted that trachoma prevails more among infants and children.

It was further noted that trachoma caused impairment of vision of various degrees in the population. If cataract is excluded, trachoma and associated infections are responsible for about 55 per cent of blindness in the country.

Based on these findings, the Government of India launched the national trachoma control programme in 1963 as a centrally sponsored scheme. By the end of March 1975, 148.8 million population has been covered under the programme. The present trachoma control strategy aims at giving emphasis on health education to the masses because of the realization that unless and until unscientific concepts and taboos are changed, the scheme may not be effective.

**Venereal Diseases** : Venereal diseases (VD) still constitute a public health problem in India. Their prevalence is high in large cities, industrial and pilgrim centres, seaports and in some sub-Himalayan tracts. The common venereal diseases prevalent are syphilis, gonorrhoea, chancroid, granuloma inguinal and lymphogranuloma.

Due importance was given in the Fourth Plan, as in the earlier plans, to check the disease. 313 VD clinics are functioning in different states.

VD training and research are being conducted at two centres in Madras and Delhi.

## VII. Family Planning

The growth of population is intimately connected with the socio-economic development of the country. Not only the family planning is a must for the health and happiness of the family but there is an imperative need to bring a planned social change in the country through family planning programme.

The family planning as an official programme was first adopted in 1952. In the first two Five-Year Plans, family planning was taken

up in a modest way with clinical approach. A full-fledged Department of Family Planning was set up in 1966 in the Ministry of Health and Family Planning. The department looks after the organization and direction of family planning programme which is implemented by and large through the state governments. It is also responsible for some segments of maternal and child health services.

The family planning programme is a centrally sponsored one under which the centre meets 100 per cent of the expenditure by the state governments on family planning.

The implementation of the family planning programme is largely done through the agency of the health departments of the state governments. The programme is so administered that there is flexibility in its management and implementation to suit different conditions in different states while ensuring compatibility with a broad national policy and pattern. In line with this objective, an important feature of the organization of the family planning programme has been the provision for constant mutual consultation between states and the centre.

At the national level, a Central Family Planning Council, headed by the union Minister of Health and Family Planning, includes the state Health Ministers besides representatives of voluntary bodies. The Council has set up a Standing Executive Committee to review the programme between its sessions. Similar council exists at the state level. Meetings of state Health Ministers as well as state Health Secretaries, etc. provide other forums for effective centre-state consultations.

Another important feature of the family planning organizations is the close integration and coordination of motivation and education, services and training and evaluation from the centre down to the field level.

Wider meaning to the service programme is being given by its integration with general medical and public health services. Family planning has been introduced as a component in post-partum programme in all medical colleges and teaching institutions in the country. The intensive district and selected areas programme has also been initiated.

Some organized groups like the Armed Forces and the Railways have their own family planning set-up. Chambers of Commerce, labour organizations and industrial undertakings besides plantations, coal and iron ore mines have also been actively involved in the programme. Family planning services are also provided through dispensaries and hospitals of the Employees' State Insurance Corporation which covers a large segment of industrial labour.

Three methods, viz. sterilization for males and females, IUD insertions and conventional contraceptives are the important

components of the services provided under the cafeteria approach of the family planning programme. Oral Pill Project, introduced in 1971, is still in an experimental stage.

All India year-wise performance of the programme is as follows:—

Year	Sterilization	IUD Insertions
1966-67 . . . . .	8,87,368	9,09,726
1967-68 . . . . .	18,39,811	6,68,979
1968-69 . . . . .	16,64,817	4,78,731
1969-70 . . . . .	14,22,118	4,58,726
1970-71 . . . . .	13,29,914	4,75,848
1971-72 . . . . .	21,87,336	4,88,368
1972-73 . . . . .	31,21,856	3,54,624
1973-74 . . . . .	9,42,402	3,75,594
1974-75 . . . . .	13,49,045	4,30,269
1975 (April to November) . . . . .	10,69,518	2,86,934

**Nirodh (Condom) :** At present, *Nirodh* is the most popular conventional contraceptive. Various sample surveys have revealed that *Nirodh* which is being used for spacing is also popular for family limitation, i.e., by couples who do not want any child at all. To make this popular device available all over the country, three schemes are presently in vogue, namely, Free Supply Scheme, Depot Holder Scheme and Commercial Distribution Scheme. Under the first scheme, all family planning centres distribute *Nirodh* free to all interested couples. In 1973-74 about 10 crore pieces of *Nirodh* were distributed through the family planning centres and sub-centres. Under the Depot Holder Scheme, *Nirodh* can be purchased through selected rural post offices at the rate of 5 paise for 3 pieces. Under the Commercial Distribution Scheme, India's largest goods marketing companies are entrusted to sell *Nirodh* through their net work of distributors, salesmen, wholesalers and retailers. In 1973-74 alone, 11.62 crore *Nirodh* were sold under the scheme.

**Post-partum Programme :** The period following delivery or abortion (post-partum period) constitutes a significant period of high motivation during which women can be approached concerning future child bearing. The antenatal period of pregnancy, the lying in period and the post-partum period, particularly seem to offer unique opportunities to each woman in a systematic manner. Based on this philosophy, All-India Hospital Post-Partum programme was initiated in 1969 in 59 hospitals with suitable additional inputs and has proved very success-

ful in its objectives. Till 1973-74, 255 hospitals were covered under this programme.

**Oral Contraceptive Pilot Programme :** The pilot project for oral contraceptive pills was started in 1967 with a view to finding out the acceptability and effectiveness of this method. It was decided to start 121 pilot projects and this was later expanded. 319 oral contraceptive projects had been commissioned till 1974.

**Maternal and Child Health Services :** Family size is intimately connected with infant mortality rate; the assurance that existing children will survive becomes for parents the determining factor for regulating the size of their families. Accordingly, the family planning programme is being progressively integrated with health services in general and maternal and child health in particular. Provision has been made to strengthen the primary health centres for family planning and maternal and child health work.

**Voluntary Organizations :** The success of family planning programme depends upon the ultimate acceptance of the concept of small family norm by the masses. The idea has thus to percolate into all strata of society. Since the voluntary organizations are the manifestations of a community's desire to help itself, great importance is attached to their involvement in the programme.

These voluntary and social organizations can, therefore, play a very important and vital role in effecting such changes in social behaviour and educating and motivating married couples as may be conducive to the adoption of family planning practices by them. As voluntary organizations exist throughout the country to cater to the needs of the people, the programme endeavours to involve them in large numbers.

**Medical Termination of Pregnancy :** The Medical Termination of Pregnancy Act which was enforced throughout the country from April, 1972 is providing much needed relief to mothers burdened with unwanted pregnancies who hitherto had to take recourse to seeking help from quacks and under most unhygienic conditions. The responsibility for implementing this Act has been entrusted to the health department under the same ministry, due to very nature of its operational requirements.

According to the provisions of the Act, abortion can be performed only by registered medical practitioners possessing the prescribed experience or training in obstetrics and gynaecology. As an additional safeguard, such abortions have to be performed only at approved institutions.

An analysis of cases of abortion so far reveals that the majority of women who came for abortion also get themselves sterilized.

### VIII. Medical Education and Research

**Medical Education :** The teaching of modern medicine was started in the country by the middle of the 19th century. Medical Colleges at Calcutta and Madras were established in 1835, at Bombay in 1845 and at Lahore (now in Pakistan) in 1860. With increasing demand for university education, new medical colleges were also started in other provinces. In 1946, there were 19 medical colleges in the undivided India in addition to about 19 medical schools. These medical schools have either been upgraded or closed down and there is no medical school in the country at present.

The need for training more doctors by establishing new medical colleges has been recognized and advocated by expert committees from time to time. In 1946, the Bhore Committee emphasized the need for expanding training facilities in modern medicine. This was followed by the recommendations of the Mudaliar Committee in 1961 which suggested norms for the provision of doctors for units of population and establishment of medical colleges on that basis. The norms recommended by the committee were that there should be at least one doctor for 3,500 population and one medical college should be provided for 5 million population.

The recommendations of the Mudaliar Committee have provided guide lines for the training of doctors and establishment of medical colleges since the Third Five-Year Plan. The provision of training facilities for doctors was, however, given the requisite priority even in the First and Second Plan periods when such facilities expanded on a large scale in the country.

The number of present medical colleges is 106 with an admission capacity of about 12,500 as against 25 colleges with 1983 admissions in 1947.

Due to the rapid growth in medical education since independence shortage of teachers in the medical colleges and of specialists for district hospitals has been acutely felt to meet the growing needs. To meet the requirements, four post-graduate medical institutions are functioning in the country, in addition to the post-graduate departments in the various medical colleges. The Government of India had sanctioned the upgrading of 113 medical and 25 dental departments in various medical colleges upto November 1972. The main handicap in the opening of medical colleges and post-graduate institutions is shortage of teachers which is about 14 per cent today as compared to 22 per cent in 1964.

The Mudaliar Committee recommended that the objective should be to provide one doctor for every 3,500 population. It is estimated



that doctor population ratio in the country at the end of Third Five-Year Plan was 1 : 5,800. There has, however, been improvement in the subsequent years and the present ratio is 1 : 4,200. Working on the basis of the norm of 1 : 3,500 it has been estimated that the requirements of doctors during the Fourth Five-Year Plan would be about 1,70,870. As against this about 1,51,049 doctors are expected to be available during the period. After making an allowance for shortage of doctors due to death, retirement, immigration, etc. the net availability of doctors in the Fourth Plan would approximately come to 1,38,000. Considering this it would not be possible to achieve the minimum doctor population ratio of 1 : 3,500 recommended by the Mudaliar Committee.

It has been observed that doctors, after being qualified, feel reluctant to accept employment in rural areas or are unwilling to settle for practice in those areas. This has been affecting the provision of medical care services to the rural population who need such services most. Precise information as to the rural-urban distribution of doctors is not available. Studies conducted by Institute of Applied Manpower Research, New Delhi, indicated that 68 per cent of the doctors settle for practice in urban areas whereas only 32 per cent are available for service to the vast rural areas.

Efforts are being made to correct the imbalance in the distribution of doctors in the rural and urban areas by giving incentives to private physicians for work in the rural areas.

Social changes in India have resulted in complexities in urban and rural living. The impact of this change on the population has contributed to a greater extent to physical and emotional imbalance. As a result, community health needs have become numerous and diversified and more comprehensive health services are needed.

With the rapid change in the concept of medicine, the role of medical man is also changing to meet the demand of the society and as such it has become imperative to prepare the future physician during the period of his professional training.

It has been emphasized that medical education in India should develop to train the basic doctor who will be able to serve the community. The basic doctor needs knowledge about the health programmes in rural and urban communities and should be able to participate effectively in the health programmes both regional and national.

This new type of approach, meant to serve the society which is rapidly changing, requires adjustment in the health delivery system and in these changing circumstances the need for a change in medical education to equip the future doctor to the changing outlook and adjust him to the new health care of the community has become

necessary.

Teaching programmes, therefore, are being adjusted in such a way as will enable the future doctor to meet the needs of the community.

Little emphasis was laid on post-graduate medical education and training of specialists in the country before independence. Due to the rapid growth in medical education after independence, the shortage of teachers for medical colleges, and of specialists for hospitals was acutely felt. To meet the urgent demand the All-India Institute of Medical Sciences, New Delhi, was established in 1956. The state governments of Punjab and West Bengal set up one post-graduate institute each at Chandigarh and Calcutta respectively. The institution at Chandigarh has since been declared an institute of national importance and is now administered and financed by the Government of India. Post-graduate training has also been started at the Jawaharlal Institute of Post-graduate Medical Education and Research, Pondicherry. The institute is now under the direct administrative control of the central government and is being developed in a phased programme.

There is also a scheme of giving central assistance for the development of post-graduate medical education in the medical colleges under the state governments. There are also schemes under which scholarships are given to the students for post-graduate studies. They are selected through a central selection committee mainly on the basis of merits. Fellowships are also available under various schemes through the international agencies for post-graduate studies abroad in medical and public health.

There are at present 15 dental colleges in the country with an annual admission capacity of about 680 students. About 500 dentists qualify from these colleges every year. According to the information available there is a total stock of 8,800 dentists in the country. The Bhore Committee had recommended that there should be one dentist for 4,000 population. The recommendations of Dental Council of India, however, is that one dentist should be provided for 30,000 population.

To provide comprehensive health services for the community, a large number of well-qualified health personnel should be properly distributed. Necessary emphasis is, therefore, needed to produce the required number of health personnel of various categories to man the health services.

Upto the end of Third Five-Year Plan para-medical training was treated as centrally aided. In the Fourth Five-Year Plan this has, however, been included in the state sector. Information regarding training institutions of certain categories of para-medical personnel is as under :

Category	No. of Institutions	No. of seats
1. Pharmacist	24	1,171
2. Radiographer	19	171
3. X-ray Technician	14	169
4. Optician & Refractionist	5	59
5. Dental Mechanic & Hygienists	4	113

**Medical Research :** Research activities form an important component of every sphere of health programme. Research work being conducted by various institutions is coordinated by the Indian Council of Medical Research.

Prior to the establishment of the Indian Council of Medical Research, the Indian Research Foundation Association working since 1911 with government financial support was responsible for sponsoring and co-ordinating medical research. Subsequently, after independence there was certain amount of stock-taking, consolidation of work and spread of research to other important fields. As a first step towards achieving this new objective, the Indian Research Foundation Association was rechristened in 1949 as the Indian Council of Medical Research and practically every aspect of medical research has been brought under it.

One of the significant achievements of the Council is the organization of research projects on collaboration basis. It has several permanent research institutional centres, namely, the National Institute of Nutrition, Hyderabad ; Virus Research Centre, Poona ; T. B. Chemotherapy Centre, Madras; Cholera Research Centre, Calcutta; Indian Registry of Pathology, New Delhi; National Institute of Occupational Health, Ahmedabad and the Institute for Research in Reproduction, Bombay.

The Council, besides promoting bio-medical research, provides training and research facilities to the young scientists in the form of research and travelling fellowships and permanent research cadre to the scientists and technicians.

In addition, various institutions in the country are also engaged in research in specialized fields.

## IX. Manufacture and Control of Drugs

Human endeavour discovered remedies to alleviate suffering and death from time immemorial. India developed the indigenous system

of medicine which is codified in her ancient scriptures. The advent of modern drugs opened new vistas to combat effectively diseases which earlier took a very heavy toll of life in the form of epidemics.

In 1948, the drug industry was in its infancy, and our annual production was worth Rs. 10 crores. Gradually, through efforts in the fifties and sixties, the pharmaceutical industry made progress and today (1972) we can boast of annual production of drugs worth Rs. 300 crores, *i.e.*, 30-fold increase in 25 years. The industry employs about 3 lakh persons. If this growth rate is maintained, it is hoped that by the end of the Fifth Plan, the production will go as high as Rs. 600 crores worth of drugs per annum. Today two public sector undertakings namely the Hindustan Antibiotics Ltd. and the Indian Drugs and Pharmaceutical Ltd. are manufacturing a sizeable quantity of drugs. This has given a solid base to our industry and it is hoped that whatever little is imported now in the nature of raw material would also dwindle. In other words, the industry is progressively becoming self-reliant.

The central government is responsible for making uniform rules and regulations for observance by manufacturers and importers for laying down the standards of drugs and for regulating the quality of drugs imported into the country. The Drugs Act enacted in 1940 regulates the manufacture and standard of drugs in the country. The Drugs and Cosmetics Act exercises control over the quantity of drugs made by the manufacturers. One essential feature in control of drugs is the regulated measure which the new drugs have to comply with.

The Central Drugs Standard Control Organization headed by the drugs controller of India has been empowered under the Drugs and Cosmetics Act to appoint drugs inspectors and government analysis for the whole of India. The Central Drugs Laboratory, Calcutta and the Central India Pharmacopoeia Laboratory, Ghaziabad, are the two central government laboratories which, in addition to the normal functions of testing samples of imported drugs and drawing up a standard of the Indian pharmacopoeia respectively, help the states in testing samples of drugs for which they do not have the facilities. The State Drugs Control Organization consists of two units—the administrative wing headed by the drugs controller and the drugs testing laboratory which undertakes analysis of drugs with a view to maintain a constant check over the quality of drugs manufactured and marketed in the state.

Like other branches of science and technology, pharmaceutical science has made tremendous advancement, specially in the last two decades. Newer drugs and better combination of drugs have been developed and are progressively marketed by leading pharmaceutical

manufacturers all over the country. Quality control discipline has undergone drastic changes and the testing procedure utilizes sophisticated instruments and newer techniques. The National Formulary of India has been brought out by the Government of India. The intention of the Formulary is that the hospitals and dispensaries in this country should progressively adopt the formulations given in it. This will help in reducing the hospitals' drug bill. The medical profession would also get acquainted with the simple formulations given in the Formulary so that they can prescribe in their day to day practice. The National Formulary of India is now proposed to be revised by a committee constituted by the Government of India.

The coming years could be of importance to the pharmaceutical industry in India. The production of drugs will touch a new high by the end of the Fifth Plan. The employment potential which is now about 3 lakh persons will increase progressively. The import component of drugs today is about 10 per cent and it is hoped that this would be progressively reduced when the industry becomes self-reliant.

## B. PUBLIC HEALTH

### I. Problems of Public Health

The level of health in India has been comparatively low. The chief factors for consideration of health conditions of a country are its population structure (urban and rural), growth rate, vital statistics, expectation of life, education and occupational standards, national income, food supply, nutrition, housing and environmental sanitation, morbidity pattern, communicable diseases, pattern of health services, availability of medical personnel, etc. The problem of different communicable diseases having public health importance has been discussed in the earlier sections. If it is assumed that the health programmes already undertaken in different Five-Year Plans could be met with success, they will bring certain other problems which will have to be tackled in future. Mention may be made of the following :—

**Environmental Sanitation :** Due to shortage of funds the scope at present is confined to the provision of pure water supply, construction of latrines and disposal of refuse and human excreta to some extent. With the provision of water supply, excreta and refuse disposal facilities, leading to reduction in water-borne diseases, the emphasis has shifted to measures adopted for control of environment, construction of proper houses, prevention of slums, provision of recreational facilities, control of air, water and industrial pollution and minimization of radiation hazards, etc.

**Diseases Control Programme :** With the control of some of the diseases through national disease control or eradication programmes, the emphasis will shift from measures of specific protection to highly efficient surveillance measures leading to establishment of epidemiological system.

Another important result of control of communicable diseases as well as increased span of life will be the emergence of the following chronic diseases as a major health problem :

**Cardiac Vascular diseases :** In recent times, there has been considerable rise in the morbidity and mortality due to cardiac-vascular diseases. Stress and strains of modern ways of living and dietetic errors are some of the factors considered responsible for the rise in death rates due to these diseases.

**Diabetes :** In India the prevalence of diabetes is increasing. Diabetic and pre-diabetic conditions impose a considerable burden on community health. Improved methods of treatment have considerably reduced the risk due to the disease and prolongs the life span of many diabetics. But necessary measures have to be adopted so as to prevent large-scale measures in future for prevention and control of this disease.

**Cancer :** The extent of the problem of cancer in India is not exactly known. However, a trend of increase of cancer is noticeable. There is also a definite increase of Bronchogenic cancer with increasing air pollution. Lymphatic and Haemopoietic Neoplasms have also increased during the last two decades.

**Asthma :** There is an evidence that asthma is increasing gradually although the exact prevalence is not known. It generally affects the older age groups but incidence among children and younger people is not negligible. Exposure of lung parenchyma to dust, chemicals, smoke and other air pollutants for long periods results in chronic bronchitis and allergic conditions. Concerted efforts will be necessary for the control of this problem.

Evidence of wide-spread social maladjustment is provided by increased figures of divorces, separation, suicide, murder and infanticide. In addition, cases of neurosis, schizophrenia, mania and psychiatric disorders are increasing progressively with the high rate of population growth leading to stress, strains, unemployment, poverty and frustration. Adequate facilities are needed to provide treatment and rehabilitation of such persons.

With the increasing load of morbidity and mortality due to causes prevalent at present and also due to causes which are likely to become problems in future, the need for increased medical facilities is imperative. But it may not be possible to increase the institutional facilities for treatment of such patients. The only feasible solution in the

existing circumstances would be the effective utilization of existing beds and to increase the domiciliary and ambulatory health care services.

## II. Vital and Health Statistics

Vital and health statistics are said to be the eyes and ears of the health department. To make the planning of health programmes meaningful, it is necessary to collect complete and accurate statistics in respect of different facets of health programmes and make them available to health administrators and planners in time. As a pre-requisite for building up a sound infra-structure for vital and health statistics, it is imperative to have statistical organization at different levels to ensure smooth and timely submission of data at different levels for which the statistics would be needed.

A properly organized statistical system will provide the following information required for purpose of health administration :

- (i) Statistics of birth, death, morbidity and mortality.
- (ii) Epidemiological data to study the trend of different diseases and forecasting of epidemics.
- (iii) Data generated through routine activities in health and medical care fields.
- (iv) Data necessary for formulation of health plans.
- (v) Progress of health and health activities.
- (vi) Progress of plan schemes for purpose of evaluation of the programme.
- (vii) Data for studies on public health and medical care at different stages of development.
- (viii) Data on training facilities for statistical staff working at different levels of operations.

In order to meet the needs for different purposes, arrangements for collection of complete, comparable and up to date statistics should be made from the very beginning. Suitable machinery should be developed at central, state and peripheral levels and should function as a single unit for effective use of statistical information.

**Notification System :** The diseases that are notifiable throughout the country are cholera, smallpox and plague. These are quarantinable diseases under the International Sanitary Regulations prescribed by the World Health Organization. Diseases other than these are notifiable in some states and not in others. The present system of notification, even for quarantinable diseases, leaves much to be desired in matters of coverage, completeness and accuracy. The common defects in the data are non-reporting and under-reporting.

The procedure and the channels of notification differ from state to state. In the rural areas in some states like Andhra Pradesh, Rajasthan, Gujarat and Uttar Pradesh, village *panchayat* is the primary reporting agency whereas in states like Haryana and Punjab, village *chowkidar* is responsible for reporting the incidence of notifiable diseases. In Madhya Pradesh and Maharashtra, the police authorities are the primary reporting agency whereas the basic health workers are the primary reporters in Kerala and West Bengal. To improve the coverage and accuracy, health workers and other para-medical staff have also been associated with the notification of diseases in many states like Andhra Pradesh, Haryana, Punjab and Uttar Pradesh.

In urban areas, sanitary inspectors, vaccinators, etc., working in municipalities and corporations, are primary reporters. The cases of notifiable diseases treated in medical institutions are reported to municipal authorities.

**Vital Statistics :** India has a long tradition of registration of births and deaths and the administrative machinery for the purpose has been in existence for over a century. The registration system yields data on deaths by the following causes or groups of causes : cholera, smallpox, plague, dysentery and diarrhoea, respiratory diseases, fever, accidents and injuries, and all other causes.

The system of civil registration, as it prevails today, however, leaves much to be desired in matters of coverage, quality, timeliness of data and availability of final results for administration and research. Many steps for improvement and upgrading the system of registration have been or are being taken by the office of the Registrar-General of India. A model registration scheme and the sample registration scheme under the Registrar-General of India which need mention are as below :

**Model Registration Scheme :** The model registration seeks to collect data on cause of death through para-medical personnel in villages where a primary health centre is located. While model registration is no substitute for an efficient system of medical certification of cause of death, it aims to provide to public health authorities a broad idea of incidence and death due to major diseases. It is not a sample survey in the general accepted sense. The units of enumeration do not constitute either a random or a representative sample. Feasibility and operational conveniences are the main criteria in selecting units. The unit of enumeration is a village in which a primary health centre is located and number of villages selected is about 500. Field investigations are conducted in each unit by field agents who are trained in the non-medical list of causes of death. The reports submitted by the field agents are checked by the medical officer of the primary health centre. Lastly



the data collected by various field agents is published by the Registrar-General.

**Sample Registration Scheme :** Sample registration scheme undertaken by the Registrar-General provides reliable estimates of birth and death rates separately for rural and urban areas. This scheme is a miniature registration system in a random sample of villages. A part-time enumerator usually a teacher or a full-time enumerator, maintains the continuous records of births and deaths as they occur.

To improve the system of health statistics, the scheme of medical certification of cause of death according to International List of Causes of Death has been functioning in some states in collaboration with the Registrar-General of India. Medical certification of cause of death, however, covers a small proportion of total deaths.

With the enactment of the Registration of Births and Deaths Act, 1969, it is felt that the situation will improve to a great extent and continuous series of statistics of mortality and causes with full coverage will be available in course of a few years.

**Hospital Statistics :** Records of treatment of patients treated in the medical institutions provide useful statistics of sickness or mortality in the community. Qualitatively, statistics of morbidity and mortality derived from the patients' records of the hospitals are much better than the data provided by the notification of cases not treated in the hospitals due to better diagnostic value. However, since all cases of a particular disease are not treated in the medical institutions, the hospital morbidity statistics do not fairly represent the health status of the community on the whole. The hospital data is thus selective in nature and can only give a broad idea of relative importance of different diseases.

**Organization of Health Statistics :** In 1960 the Central Council of Health appointed a sub-committee to examine the existing position of statistical organizations in state health directorates and to recommend a pattern of statistical organizations that should be developed in the states so as to provide a strong infra-structure for complete and accurate collection of statistical information in the health field. Subsequently, reorganization of statistical set up at the central level in the Directorate General of Health Services was taken up in 1961 and the Central Bureau of Health Intelligence was established. This gave a lead to the states to organize on similar lines their own bureaus of health intelligence. Some of the state governments like West Bengal, Orissa, Gujarat, Kerala, Maharashtra, Punjab have established the State Bureaus of Health Intelligence but on the whole the situation has not improved to the desired extent. Majority of the states do not have any definite statistical organization for collection and

compilation of health statistics. As a result the data collected at the central level always remains incomplete.

In order to man the developing statistical organizations at different levels of health administration, there is an urgent need for providing suitable training facilities for all categories of statistical personnel. To meet the demand, the Central Bureau of Health Intelligence conducts different training courses at the following institutions :

Institute	Courses
(i) Model Vital and Health Statistics Unit, Nagpur.	General Health Statistics, Medical Coding and Orientation Course for Health Officers in Bio-statistics.
(ii) All India Institute of Hygiene & Public Health, Calcutta.	Diploma in Health Statistics (Calcutta University)
(iii) Christian Medical College, Vellore.	Medical Records Officers' Course.
(iv) Safdarjang Hospital, New Delhi.	Medical Records Technicians' Course.

### III. Water Supply, Drainage and Sanitation

The post-independence era is marked by an increasing recognition that water supply and sanitation are among the basic human needs and this fact is reflected in the growing demands both from urban and rural sectors of the country for the provision of these facilities. Provision of safe water and sanitary disposal of wastes are important environmental health measures to control water borne diseases like cholera, typhoid, dysentery, etc. which constitute 70 per cent of the public problems in our country and affect national economy and production by an annual loss of 1,760 million man-hours. In rural areas 80 per cent of the children in the age group of 6—12 years suffer from helminthic diseases caused by improper disposal of night soil. Due to absence or inadequacy in sewerage facilities, at least in 43 towns and cities in various states filariasis is endemic. A number of towns face problems with regard to disposal of refuse which causes breeding grounds for vectors of a number of diseases. The growing problem of water pollution by municipal sewage and industrial wastes calls for immediate measures to maintain the quality of the water courses.

The Government of India is giving increased attention to the water supply and sanitation problems and different programmes have been evolved to improve the existing conditions. Under the National Water Supply and Sanitation Programme taken up by the Government of India in 1954, funds had been provided to the extent of Rs. 208.5 crores for the urban sector and Rs. 60.5 crores for the rural sector up to the beginning of the Fourth Five Year Plan period. In the Fourth Five Year Plan an amount of Rs. 412 crores was allotted to water supply and sanitation, of which Rs. 125 crores were earmarked for rural water supply. In the Fifth Plan, an allocation of Rs. 564.23 crores has been made for this purpose under the "Minimum Needs Programmes".

In 1961, piped water supply facilities were available only to 60 per cent of urban population and 30.8 per cent of the urban population had the benefit of sewerage facilities. In 1971, the respective figures were 69 per cent and 40 per cent. Up to February 1973, state governments were preparing and executing their respective schemes under the advice and guidance of the Central Public Health and Environmental Engineering Organization. After that the programme and organization came under the control of the Union Ministry of Works and Housing. By March 1974, 1647 towns had been provided with water supply benefits covering about 9 crores urban population. About 186 towns had been covered by sewerage system.

In 1961 only around 2 per cent of the villages had piped water supply. In 1971 this figure went up to 3.03 per cent. Out of 5.76 lakh villages, about 28,000 covering a population of 1.90 crores (about 4.3 per cent of the total rural population) were supplied piped water up to March 1974.

Rural sanitation has not all along been receiving adequate attention although more than 80 per cent of the country's population lives in the rural areas. Measures for introduction of sanitary latrines are to be strengthened. About 20 million seats will be required in the next five years to meet the requirements of about 25 per cent of the population. The total cost of providing sanitary latrines in the entire rural population is estimated to be around Rs. 600 crores.

Special investigation divisions were sanctioned for the states with 100 per cent central assistance to identify the problems and prepare preliminary estimates for providing water supply in difficult, scarcity and problems areas. In order to assist the state governments with the preparation of detailed plans and estimates for the villages investigated by the special investigation divisions, Planning and Design Cells were created in 1971. Assistance from the UNICEF is being

obtained in the form of hard rock drilling rigs to provide drinking water supply in the difficult and scarcity areas of the country.

It is, therefore, evident that giant strides are to be made in the field of water supply and sanitation for achieving a complete success in the control of water-borne diseases and for attaining a significant increase in the level of health of the nation's population.

#### **IV. Special Measures for betterment of Public Health**

**Slum Clearance :** This scheme contemplates the grant of financial assistance by the central government to the state governments and the union territory administrations for slum clearance and improvement projects. The two important principles on which the scheme is based are that (i) there should be minimum dislocation of slum dwellers and efforts should be made to rehouse them as far as possible on the existing sites of the slums and sites nearby, in order to ensure that they are not uprooted from their fields of employment, and that (ii) in order to keep down rents within the paying capacity of slum dwellers, the emphasis should necessarily be laid more on provision of minimum standards of environmental hygiene and essential services rather than on construction of any elaborate structure.

Wherever practicable and particularly where the rent paying capacity of slum dwellers is extremely low, it is recommended that the state governments and local bodies should provide each slum dweller with a developed and demarcated plot of land and some building and roofing material leaving it to the slum dwellers to build huts on the prescribed pattern themselves on self-help basis under the technical guidance of the state governments.

Where the above approach is not considered feasible (as for example Bombay, Calcutta and other cities where the land is expensive) and it is not desirable to have *kuccha* construction in the heart of clean and built up localities, and where the slum dwellers can afford to pay higher rents, the state governments and local bodies may construct houses or tenements according to the prescribed standards.

Central assistance to state governments will be in the shape of loans and subsidies. The responsibility of repayment of loans rests on the state governments and the union territory administration even though slum clearance projects may normally be executed through local bodies or other agencies approved by the state governments.

The state governments and local bodies will ensure that the plots or tenements are allotted only to bona fide and eligible slum families and provide adequate safeguards against sub-letting and transfer of

the plots or tenements to persons for whom they are not intended.

There is a central sector scheme for providing financial assistance by the central government to the state governments and the local bodies under them for undertaking the work of environmental improvement in the existing slums which are not earmarked for clearance for a minimum period of 10 years.

In selecting the slum areas for effecting environmental improvements, preference should be given to the slums situated either on government land or on land belonging to a local or other statutory body. Improvement of slums on privately-owned land could also be taken up with the consent of the owner and his tenant. Only such slum areas can be included in the scheme where water, electricity and sewer mains are available at least on their periphery.

Assistance under the scheme will be available for 20 cities including Calcutta, Bombay, Delhi and Madras. The Bustee Improvement Programme of Calcutta will form part of the scheme. Assistance will be available for (i) environmental improvement to slums consisting of water supply including drinking water, sewers, storm-water drains, community baths and latrines, widening and paving of existing lanes and street-lighting; and (ii) acquisition of land and super-structure, wherever necessary, in slums in the core areas of the metropolitan towns with a view to carrying out improvements in conditions.

The Government of India will provide hundred per cent grant for approved projects. Twenty-five per cent of the approved cost will be realized when the project is sanctioned and the balance in two or three instalments depending on the satisfactory utilization of the earlier amounts advanced. Assistance sanctioned under this scheme would be supplementary to the outlays provided for the state governments in their state plans or for programmes intended to benefit the low income groups, economically weaker section and the slum population in the concerned state.

In making a request for assistance under this scheme, the state governments will ensure that the programme is so formulated that not less than 66 per cent i.e.,  $\frac{2}{3}$ rd of the assistance is utilized for environmental improvement. The state governments or local bodies will bear the maintenance expenditure on the improvement work.

**Town and Country Planning :** Since environment largely influences and limits human activity, it is important that it should be so moulded that man can go about his normal activities with the least amount of strain. Whenever environment becomes maladjusted or unsuitable, it hinders normal activities and thereby affects human beings physically and mentally.

The devastation of the country-side by industrial expansion, the

pollution of the air by smoke, dust and obnoxious odours emitted by the factories, the uncontrolled growth of urban areas, vertical growth of the dwellings obstructing the essential supply of sunlight and fresh air, etc., totally change the environment and call for new efforts to improve the environment.

Town and country planning, therefore, deals essentially with the task of reconstructing the urban environment so as to restore to it the old values and to remove those ills which have grown into it as a result of the changes brought about by the industrialization and the complex growth of society. The process involves, in addition to other things, the provision of those services and amenities which are essential for the creation of a healthy environment leading to unfettered development of man's body and his mind.

Against the background of rapidly increasing population and pronounced trends towards urbanization, the facilities essential for urban people are severely lacking and this shortage will continue to increase until appropriate action is taken not only to meet the current demands but also to make up for shortfalls. This tremendous challenge posed by the problems in the urban and the rural areas is being tackled by the central and state governments through a number of comprehensive programmes covering all aspects of housing and planning.

### **V. Health Education and Training**

All progress in public health depends ultimately on the willing assent and cooperation of the people and their active participation in measures intended for individual and community health protection. Considering how much illness is the result of ignorance of simple hygiene laws or indifference to their application in practice, no single measure is productive of greater returns in proportion to the outlay than health education. Efforts have been made to help people fully utilize the medical and public health facilities and to change their attitudes and practices so that they achieve health by their own actions and efforts.

Health education has made substantial progress in India during last few years. With the disappearance of major community killers, the glitter of eradication or control programmes has vanished and the success of the various health programmes now depends on community involvement and participation. The union government and the state and union territories have fully realized the value of such measures and geared their health education machinery to effectively meet this challenge.

A "Health Team" concept has come to stay, as it is more and more being realized that health depends on multifarious factors essential for positive health programmes. Education, agriculture, fisheries, social welfare and community organizations all play vital roles in this ever changing and moving target. Naturally the only way to preserve health is to deploy an equally efficient and effective health team. The team consisting of medical professionals, nurses, auxiliaries, public health engineers and health educators has been very useful in providing services. All members of the team have health education opportunities when they talk with patients, discuss health methods with administrators or give talks in schools or on radio. Although all the members of the team do promote health education, in recent years, it has itself become a profession. The work of health educator is to organize health education activities in an area to act as an adviser on educational methods and to show the members of the health team how to use their opportunities for health education. The Government of India have woven this important specialization in the organizational structure and administrative functioning of health departments.

The central government has taken a number of steps to develop the health education specially at the national and state levels. Besides setting up a Bureau in the Directorate General of Health Services at the national level, the union ministry has formulated a scheme for the establishment of the State Health Education Bureaus for building up Health Education Services in the states. It provides technical assistance and guidance to the bureaus and the district units that are coming up.

The Central Health Education Bureau was established in 1956. It has now full-fledged divisions for training, research and evaluation, school health education and field study.

In 1959, the Government of India felt that health education of the various social groups of population could only be undertaken by the state governments and advised them to build up health education bureaus as a part of their state health departments and plan a suitable field programme in collaboration with their education departments and social welfare organizations. Consequently, the states decided to set up State Health Education Bureaus on the central pattern. By now all the states have established nuclei for health education.

A Teachers Training Unit has been added to Tamil Nadu State Health Education Bureau; and other states have been requested to adopt the same pattern. The Central Council of Health recommended to the states to establish Health Education Bureaus in major hospitals and medical colleges, big industrial concerns and major municipal corporations. All the states have shown enthusiasm in this respect

and a beginning has been made by adding health education units in medical colleges.

All the states and union territories made substantial progress in the production and distribution of health education materials, providing training to key workers, organizing exhibitions, and actively participating in national health programmes.

India is predominantly a rural country with 80 per cent of its population living in about 6,00,000 villages. To approach the people in their home environments and community surroundings, health education work has been strengthened at district levels. Forty-five districts have established Health Education Bureaus and others have taken steps in the same direction. However, with greater integration of family planning and general health services, staff at peripheral level has greatly increased.

At the state level, there are mass education information officers and health education officers; at district level, mass education information officers and extension educators; and at block level, extension educators and family planning workers are in position. It would thus be evident that the framework of health education network has taken shape and needs only strengthening in the form of trained health education specialists.



## CHAPTER X

# SOCIAL WELFARE SERVICES

### I. Problem of Social Welfare

The terms 'social services' and 'social welfare services' do not have a standard, well-accepted meaning. In this chapter the term social services will refer to those services which directly promote the development of the human resources in a community. In this sense the term 'social services' includes the services of health, education, labour and employment, social security, relief, rehabilitation and the services for the handicapped and backward sections of the community. The word 'services' suggests that these are common facilities offered by the community. Their cost is not borne individually by the beneficiary. The word 'social' suggests that the services are oriented directly to the members of the community and are to be distinguished from the physical services such as those provided by roads, transport, communication, etc. The term 'social welfare services' will be used to refer to these and other special services when they are established for the benefit of individuals or groups who by reason of a physical, mental or social handicap are not able to derive benefit from the existing services in the community and fail to make their own contribution to the life of the community. These services seek to help the handicapped individuals or groups to develop their own capacities for utilizing existing services and also for making their contribution to society in the same way as other members of the community do.

The word 'handicapped' is somewhat misleading because often it is used to refer only to the physically or mentally handicapped. The Third Plan had used the word 'vulnerable' which is more satisfactory. Welfare services are oriented to meet the needs of the blind, the deaf, the lame, the mentally retarded, the mentally ill and of a wide variety of individuals who are handicapped in this limited, traditional sense. But welfare services also meet the needs of the socially vulnerable and weaker sections of the community such as those covered by the term 'backward classes' or of whole groups of families who may have been uprooted by a natural or man-made calamity and are in need of emergency relief and subsequent rehabilitation.

Apart from the broader meaning of the term 'handicapped' or

'vulnerable' it is also important to note that, while some individuals are permanently handicapped in the manner suggested here, there are many others who although not physically, mentally or socially handicapped, still require special assistance in using some particular service. Thus there are patients in hospitals and students in schools who need help in adjusting to the demands of the institutions in which they are placed and in deriving maximum benefit from the services offered. Medical social service and school social service are intended to offer this special assistance to the nervous or uncooperative patient and the truant pupil.

From one point of view it may be argued that the term 'social services' is more comprehensive and that welfare services form a part of the wider area covered by them. This is true in the sense that welfare services are planned for the handicapped section of the population and these, after all, are a part of the whole community which is served by the social services. At the same time welfare services, as was pointed out above, help the maximum utilization of existing social services whether by the handicapped or by the relatively normal population. In this sense, the scope of welfare services is coterminous with the scope of social services.

Another clarification is necessary before the meaning of the term welfare services is fully understood. It has been stated above that welfare services are intended to meet the needs of the handicapped or vulnerable sections of the community. This has usually given rise to the impression that welfare services are problem-oriented and curative or rehabilitative in nature. This is largely true. But increasingly, with a new awareness of factors that are responsible for the incidence of problems, welfare services also provide measures of prevention. These preventive measures are addressed not only to the problem-population but also to the problem-prone population. The case for Juvenile Guidance Bureaus, for Contact Clubs, and for organized recreation centres in slum areas is based largely on this new awareness of the need to prevent problems instead of waiting for them to arise and then attempting to solve them.

It is difficult to list all the problems and services in the field of social welfare. It will, however, be useful to have a broad view of them even if in an outline form. This is attempted in the following paragraphs.

To begin with, a distinction may be made between the problems of those who because of an individual handicap or social circumstance are in special need of assistance and the problems of those who by reason of their social status and as members of particular communities are in need of assistance due to the social disabilities from which they

traditionally suffer. The usual categories of the physically and mentally handicapped belong to the former group and the communities covered by the term backward class belong to the latter group. A fuller grouping and sub-grouping of persons in special need of assistance is given below :

### **A. Individuals in Special Need**

- (1) Physical handicap, other than temporary illness, relating to :
  - (i) Sight—complete or partial blindness.
  - (ii) Hearing—complete or partial deafness.
  - (iii) Speech—inability to articulate words, stammering, etc.
  - (iv) Muscular functioning—crippled due to infantile paralysis, cerebral diseases, etc.
  - (v) Loss of limb—crippling due to loss of hands, feet, etc.
  - (vi) Long term or chronic illness.
- (2) Mental handicap resulting from :
  - (i) Sub-normal development of intelligence—mental retardation, imbecility, idiocy, etc.
  - (ii) Mental illness—different types of neurosis, psychosis, etc.
- (3) Social handicap such as :
  - (i) Orphanhood, illegitimacy, etc.
  - (ii) Widowhood, desertion by husband, etc.
  - (iii) Destitution.
- (4) Socially deviant behaviour such as :
  - (i) Unmarried motherhood.
  - (ii) Prostitution.
  - (iii) Immoral traffic.
  - (iv) Beggary.
  - (v) Juvenile or adult delinquency.

While there may be large aggregates of individuals belonging to each of the above categories, they are in need of special assistance because of circumstances to which they have been individually exposed. It may even be true to say that the social structure has itself been responsible for the special problems of a few of the categories. In the groups and sub-groups listed below, the need for special assistance characterizes entire community or some of its sections. In this sense the problems arise because of certain institutional arrangements of society.

### **B. Communities or Sections of Communities in Special Need**

- (1) Problems arising out of traditional social disabilities relating to

various categories of the backward classes such as the scheduled castes, the scheduled tribes and the other backward classes.

(2) Problems arising out of emergency situations due to famines, earthquakes, floods, and communal and political tensions.

Individuals or groups covered under A and B categories are in some definite sense specially handicapped or vulnerable. Their inclusion in a list of types of persons to be aided through welfare services does not need much justification. It is possible to say that the disabilities of backward classes are only of a temporary character and that with the constitutional guarantees of equality of rights and opportunities the need for special services may become unnecessary. Even so the problems of these groups are very real today and these groups can understandably be considered to be under a disability. But apart from these groups there are at least three others in the normal population whose needs are considered worthy of special attention. These are children, youth, and women. One would expect that the services organized for them would be regarded as part of the normal social services. The reason for their being considered welfare services lies probably in the fact that today they are restricted in their coverage because of the impossibility of providing them universally. Often they are organised for children of economically or otherwise under-privileged sections of society or as in the case of youth mostly for the school and college-going population. The programmes of free milk distribution, of mid-day meals in schools, holiday homes, youth camps, organized recreation, scouting, etc. are not considered to be a part of the minimum free services that every child and youth must have. Probably, in this sense they belong to the category of special and, therefore, welfare services. It was in the same sense that primary education was at one time considered an important field of voluntary welfare work. When these services attain universal coverage, they might come to be regarded as a part of the social services and not welfare services.

**Patterns of Organization of Welfare Service :** There are different ways in which welfare services are organized to meet the needs of varied groups requiring special care or assistance. In this section no attempt has been made to list all the welfare services for different groups. Even in later sections only some of the more important welfare services will be discussed in detail. What is attempted here is a discussion of the common patterns of services that have evolved in the tackling of welfare problems. The types of services developed in a community reflect the way in which problems are perceived and defined by the community. They also reflect the general standard of living attained and the values which are cherished in the community.

They are the response of the community to a perception of need of its members and sometimes to a perception of the inadequacy in its own structural or institutional arrangements.

Among the earliest and most basic needs perceived by any community is the need for food or for physical sustenance. This is met in a wide variety of ways. For instance, a sudden, urgent need for food on the part of large numbers of people as in emergencies may be met by opening up "soup-kitchens." A more persistent need on the part of a relatively smaller section of the people is usually provided for within the normal arrangements of a society. In India many different patterns have been in vogue. The system of *madhukari* has met the need of poor students—usually Brahmana boys. This system, whereby the boy went to particular homes to collect his food on different days was common in the southern regions until about thirty years ago. It may prevail in the smaller towns even today. Another system was for poor children to billet themselves for their meals to different families on different days of the week. Here the boy went and ate with the family. He was not given any food to take away. The system of *sadavarta* in the south and of *langars* in the north was also an extensive one. The major temples, *maths*, *gurudwaras* and mosques provided and still provide free meals to large numbers once every day. Their kitchens are supported by the community. Individual charity has also often attempted to meet the problem of hunger of the poor. This may take the form of left-over food being given to beggars or of servants from well-to-do families going out with large quantities of food in search of the needy.

It is in the urban societies that a poor and hungry person also becomes a destitute. In rural society even the poorest person is still identified as some particular person. He often has a shelter over his head. But he becomes nameless, faceless and homeless in the urban community. The *yatimkhana*, the house for the poor, is a response to this situation. This residential institution—whether a poor house or a work house—provides food and shelter to the needy. It was an omnibus facility which catered simultaneously to men and women, adult and child, able-bodied and disabled, normal and mentally ill. Since in these residential institutions need was defined only in terms of food, shelter and sometimes clothing, the wide variety of inmates could be attended to together.

As need came to be defined in terms other than those of mere physical sustenance and as the goal of welfare shifted from organized relief to rehabilitation, the nature of institutional care began to undergo gradual change. One of the first developments was the recognition that all types of persons could not be cared for in a single institution and that their needs other than for food and sometimes even the need

for food itself, were different. Thus institutions for men, women, children, etc., came to be separated. But even these categories had to be broken up and more specialized institutions to meet specialized problems were established.

The aim of institutional care was no longer limited to providing food, clothing and shelter. New needs were recognized. All children needed education. The older children and adults needed training in some occupation which they could practise to support themselves. In course of time social and psychological needs of inmates were also noticed. Efforts have been made to organize institutional life in such a way that the inmates get an increasing opportunity to participate in self-government and learn the responsibilities of citizenship. The special psychological needs for emotional support, for help in resolving their inner conflicts, for constructively mobilizing their mental defences are only recently being taken note of.

It is probably true to say that institutional services in India are still inadequate both in number and in the quality of their services. Quantitatively no correct estimate of adequacy of institutional facilities is possible because the size of most of our welfare problems is unknown. Qualitatively our institutional services are still largely oriented to meet physical and vocational needs. Even here much improvement is necessary. The social and psychological aspects of care in residential institutions have just barely begun to be recognized.

However, even if excellent residential institutional facilities were available they would by no means be the only way to meet welfare needs. In fact, at present there is a growing volume of opinion veering away from residential institutions to services organized in the community. Domiciliary services, services of home-makers, foster care for children and financial assistance to families in their homes are some of the ways in which welfare needs are being met. It is recognized that not even the best institutions are a good substitute for family as a unit of care. If this agency can possibly be used for affording assistance, it should be preferred to a residential institution. Progress along these lines is still very limited in India. This is probably due to several reasons. For one thing this alternative mode of organizing a service has not yet been seriously considered or tried out. It is also true that offering a protective-rehabilitative service in families spread out in the community calls for greater individualization, greater supervision and, therefore, for more staff. This could make the service more expensive. Besides, there is a fear that finding foster placements for children may not fit easily into the local cultural pattern since there is much importance still attached to caste, creed, etc.

Whatever the reasons the method of organizing a care service through families in the community or even in the home of the client himself has not yet been tried out in India on any major scale.

The services of physical care, protection, training and, in some cases, correction and rehabilitation meet one set of needs. These services may be organized through residential institutions or in the community and they would also differ in their content depending upon the particular groups that they happen to serve. Apart from these, there are other types of needs and other modes of rendering service.

An increasing number of persons now seem to need help in intra-familial relationships and in social adjustment. This is a consequence of the breakdown of traditional ways of living, of greater individualization and of an increasing complexity of social life. Naturally the more industrialized countries have these problems in a greater measure. They are sought to be met through guidance and counselling services. Family service agencies, marriage counselling bureaux, child guidance clinics are some of the agencies through which these services are offered. In India only a small beginning has been made and the effort is primarily limited to the area of child guidance. There are probably ten to fifteen such clinics in the whole country. Family service agencies are still very few and mainly experimental in nature. It is often argued that there is not the same need for these psychologically oriented services in India as in the more industrialized countries. This may or may not be so, but it is clear they are unlikely to receive the same priority as the services oriented to meet the more pressing physical needs of large numbers of people.

Apart from the services of out-door relief, care, rehabilitation and social counselling which meet the needs of individuals in special need, there are as mentioned above some services which are meant for the entire community. They are services like organized recreation, social education, club activities, libraries, pre-school education, certain elementary health facilities, etc., which may be organized on a self-help basis by local communities or by outside agencies working in these communities. In so far as these services are organized by outside voluntary agencies or by government for communities which are in some way considered to be disadvantageous, needy or backward they may be regarded as part of welfare services and called community welfare services. They are organized in the community and for all members of the community who would wish to use them. Some of these services might be part of the net-work of governmental social services such as health and education. The only difference then is that they are either organized voluntarily or when organized by government they might have been offered as part of a programme of special

facilities offered to particular communities. Much work has developed in India which could be grouped in this category of community welfare services. The work done in the field of adult and social education, the work of *Lok Karya Kshetra* units, the beginnings made in urban community development, and much of the activities under the labour welfare departments of industrial units and of state governments belongs to the area of community welfare services. That these services should have received somewhat greater attention than the more individualized services mentioned earlier is also a consequence of the way in which problems are perceived and defined at the present stage of the country's development. Social problems are at present defined more as problems of large groups or of masses of people than of individuals, of physical want than of psycho-social adjustment. Services in the nature of community facilities are regarded as cheaper, easier to justify and also more adequate. They receive a greater priority over services which call for individual application.

Finally, in the area of social welfare, there is one type of effort which cannot be classified as a 'service'; yet all welfare services find their justification only in so far as this effort has borne fruit. This is the effort of rousing the conscience of the community, of making people sensitive to new problems or old problems which have been neglected or of making them willing to change established patterns of living. This is the area of social reform, social legislation and social action. In Indian history there has been no dearth of persons who have given this kind of leadership. The founders of Jainism and Buddhism, the saints of India's medieval period, the social and religious reformers of the nineteenth century and leaders like Mahatma Gandhi and others all belong to a group of persons that have sharpened from time to time man's sensitivity to the sufferings of his fellow-beings and, in this way, have evolved and broadened the concept of social justice.

The reformers of the nineteenth century worked in many ways to bring about a change in people's thinking and behaviour. They set up organizations devoted to particular causes, delivered lectures and discourses, participated in debates, wrote essays and books, started their own weekly newspapers and, above all, set an example by practising what they preached. A few wrote novels and plays attacking prevalent social evils. Primarily they were concerned with extending ideas of democracy, rationality and social equality to all spheres of life. Though they espoused many causes, the reforms relating to the social status of women received particular attention at their hands in the nineteenth century. In the twentieth century the problems of caste disabilities and of untouchability were added to the list.



Some of the reformers attached a great deal of importance to law as a means of bringing about social change. Laws relating to the practice of *sati*, the age of marriage, inter-caste marriage, removal of caste disabilities, woman's share in ancestral and intestate property, the practice of untouchability and the evil of drink are now on the Statute Book. They have been important milestones in the history of mobilizing public opinion on certain social issues and in indicating the direction along which progressive opinion has moved. In this sense social legislation served a major educative purpose. It has also been useful in giving a legal basis for action by an aggrieved party. It is, however, doubtful whether social legislation has succeeded or can succeed in bringing about an immediate change of practice where deep-rooted customs and prejudices are involved. There is at the time the danger that social legislation might remain a mere expression of pious wish on the part of the reformers when the gap between public opinion and the opinion of the reformers is considerable. This danger is particularly great in developing countries where social reformers generally belong to the small minority of the educated, urban middle classes. There will be occasions in the later sections of this chapter to examine the areas where social legislation has been effective and others where it has not yet become effective.

This section began with a definition of the terms social services and social welfare services. It listed the major types of social welfare problems and has described the major patterns of organization of welfare services beginning with outdoor charity and relief through institutional, clinical and community services to social reform. A few of the specific areas of social welfare will now be taken up for discussion in the following sections.

## II. Advancement of Backward Classes

Historically the population of India has been made up of groups belonging to several races and religions. In the process of political conquest, technological development and the growth of the major religious-cultural traditions, all the varied groups did not progress equally. Some of the ethnic groups continued to live at the stage of food-gathering, others at the stage of hunting and still others at the stage of rudimentary agriculture. Such groups largely retained their ethnic separateness by moving away into the remote hill or forest areas. It is possible that in the conflict of cultures they were driven away into these isolated areas and did not go voluntarily. In either case the consequence was the same, viz., that these groups remained

isolated from the mainstream of religious, cultural and technological developments in the country. They now make up one section of the backward classes of India, namely, the scheduled tribes.

The growth of Hindu society was itself characterized by a process of stratification and segmentation of ethnic and occupational groups. The division into strata was probably flexible at one time and allowed individuals to move from one stratum to another, but in the more recent historical past, this division has been inflexible. The different groups, known as castes, were until recently distinguished by their separate occupations, by their different religious and social prerogatives, by the food taboos that they observed and by their generally different orientations to life. Groups of these castes were related to each other as high and low. The mode of this stratification was not uniform all over the country but in a very rough fashion it was believed that the hierarchy could be represented by four successively lower castes of Brahmana, Kshatriya, Vaishya and Shudra. Which particular castes belonged to one or the other stage was not always certain and depended very much upon local custom. However, despite regional variation, stratification in its local form was rigidly imposed. There were some groups considered not worthy of inclusion in this four-fold division. They were outcastes and were relegated to the meanest occupations of scavenging, sweeping, flaying of dead animals, etc. These untouchables, outcaste groups today make up sub-category of scheduled castes.

Within the caste-society itself there were groups who, because of their occupational and religious status, suffered certain social disabilities. Most of them lacked political and economic power. They did not own land, took to the manual occupations of a rural society, served as tenant-farmers or labourers and generally became socially dependent upon the good will of the land-owning, trading or priestly caste groups. Such groups today make up the sub-category of other backward classes.

The backward classes thus consist mainly of the scheduled tribes, the scheduled castes and other backward classes. Another group somewhat different from and yet included in the other backward classes is the denotified communities. The specific problems of all these sub-categories of backward classes are different and these will be dealt with in latter part of this section. The reason why they are all grouped together as backward classes is their common characteristic of economic and educational backwardness as compared with the other sections of society.

With the new values of social equality and social justice that came to be accepted under the leadership of social reformers and which now

serve as the basis of the Indian Constitution, the backwardness of these castes and communities is regarded as a burden on the conscience of society. Mahatma Gandhi was particularly responsible for bringing about this change in attitude to the backward classes. Considerable priority is being given to measures which, by accelerating their process of development would, in a way, compensate for the age-long disabilities imposed upon them and prepare them to benefit by the normal services in society on an equal basis. The Constitution lays a special responsibility upon government to ensure the welfare of the scheduled tribes and scheduled castes. Apart from governmental agencies, voluntary social and religious bodies have also worked for bringing about improvement in the conditions of their life.

In the First Plan the total outlay on the welfare and development of backward classes was Rs. 260 million. In the Second Plan the outlay was estimated to be of the order of Rs. 794 million. For the Third Plan period the total expenditure was Rs. 1,020 million. This figure rose to Rs. 1423 million in the Fourth Plan.

With the possible exception of refugee relief and rehabilitation, no other subject in the area of social welfare has received the same priority in financial provisions as the welfare of backward classes. The following parts of this section will contain a discussion of the special problems of each of the major sub-categories of backward classes and a review of the services provided for them. The development schemes for welfare of backward classes are either centrally-operated, centrally-sponsored or in the state sector.

**Scheduled Tribes :** The term 'tribe' is not capable of an easy definition. As the Dhebar Commission Report<sup>2</sup> points out the term has not been defined in the Constitution. Generally, it refers to small communities who live in the hill and forest area and whose technology has not developed beyond the stage of food-gathering, hunting or rudimentary agriculture. Some of the tribes are more advanced than the others not only in their technology but even in their social organization. It is possible, as has been suggested about the Gonds, that at one time they had a kingdom and a society—not merely a local tribal community. At any rate, whether due to arrested social growth, conquest by outsiders or because of social regression, the communities that are to-day referred to as tribes are characterized by smallness of size, low technological development, and a type of social organization which is primarily based upon the local community. Each tribe has a distinct cultural identity as expressed in its tools, instruments, housewares, and other aspects of

1. *INDIA, A Reference Annual* 1974, New Delhi. p. 102.

2. Otherwise known as the *Report of the Scheduled Areas and Scheduled Tribes Commission*, New Delhi, 1961.

material culture and also in its social institutions.

India has probably the largest single concentration of tribal people anywhere in the world. There were, in 1971, approximately 38 million people who belonged to the tribes listed as scheduled tribes. They made up about 7 per cent of the country's total population. They are geographically distributed in three major areas—the Western Ghats, the Central Indian mountain ranges made up by the Vindhyas, the Satpuras and the Aravalli Hills, and the Sub-Himalayan Northern and North-Eastern mountain valleys. Naturally there are larger concentrations of tribes in some states in the country than in others. The heaviest concentrations are in the states and union territories of Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, West Bengal and Tripura. While the total number of scheduled tribes is very large, there are seven principal tribal groups, viz., the Gonds, Santals, Bhils, Oraons, Khonds, Mundas and the Kacharis.

Much that has been written about the life of the tribal population in India has emphasized their simplicity, self-sufficiency and spontaneity. Tribal costumes, tribal music, and tribal dance have invariably been depicted as gay and colourful. Anthropologists have vouched for the natural honesty of the tribesmen, for their high sense of honour and loyalty to their group. Their women are said to enjoy considerable freedom and social equality. One may well ask why, if this description is true, should the 'civilized' Indian presume to offer any service to the tribal communities? He would be more likely to destroy than build in his attempt to be helpful. This was, in fact, the opinion of a group of social scientists and they warned the larger society against intruding upon the idyllic solitude of the tribal communities.

This view, however, has not wholly prevailed with government or with other workers in the field. While there is a great deal that is beautiful and worth preserving in the life of the tribal communities, there are also serious problems that they have to face. The most important of these is usually the economic problem. Some of the tribes have developed an economy based upon hunting and agriculture which adequately meets their needs. On the other hand many of the tribes suffer because of inadequate food supply. Agriculture is often unproductive because of lack of irrigation facilities and the difficulty of cultivating on hill slopes where erosion has impoverished the soil. Correspondingly there are problems of health and insufficiency of drinking water supply. The tribes subsist on coarser food grains such as *ragi*, *kodu*, *kutki*, etc. There is an absence of proteins and minerals in much of their diet. Even tribals who migrate into urban industrial areas experience their own problems. Because of their lack of education, they can usually take up only the

least paid manual jobs. They are less acquainted with urban ways and, therefore, less equipped to guard their own interests. The life of the urban slums contrasts greatly with their life in the forests ; the urban sex mores are different and the freedom of the tribal women can give rise to situations which the local community views with reproof. Often labour contractor and the money lender exploit their ignorance as well as helplessness.

It may be said that these problems are not unique and that India's rural population suffers from the same set of problems. But, then, for the same reason, the services that are being extended to the rural areas would also have to be taken to the hills and forests where the tribals live. It would be wrong to take a passive attitude either out of callousness or because of an unreal understanding of tribal life. Special measures will have to be taken to meet their economic and social service needs and to make up the gap that exists between the tribal communities and even the poorer rural areas of the rest of the country. A comprehensive account of the condition of the tribal population and its many problems is given in chapters II and III of the Dhebar Commission Report.

Prior to 1947, the problems of the tribal people had not received much attention at the hands of government. At many points the policies of the government adversely affected the interests of the tribals and at least on three occasions, in 1855, 1887 and 1895, the tribals had openly revolted against British authority. However, the general policy of British administrators was to leave the tribals alone except in so far as political and military considerations required action on their part. In 1919 the areas which were primarily inhabited by tribal communities were declared as "Scheduled Districts" in which the normal executive and administrative machinery would not operate. In 1935 the Government of India Act made the Excluded and Partially Excluded Areas a special responsibility of the Governors of provinces and not subject to the legislature and executive of the particular province in which they were located.

During the days of British rule the work of organizing services for the welfare of tribals was done, if at all, by non-governmental agencies. It was naturally uneven and could not be comprehensive either in scope or in area coverage. But the importance of their work lay in their being pioneers in a new and difficult area of service. Among the non-governmental agencies by far the most widespread in their work were the Christian Missions. Their objectives were clearly religious, but their services were available to all. They opened the first schools, dispensaries and hospitals among the tribal peoples. For their Christian converts they offered special facilities by way of economic assistance,

fees for higher education and help in securing suitable jobs. On the other hand, most of these missions were non-Indian and they were unable to give an Indian bias to their work or to create any bonds of fellow-feeling between the tribals and the rest of the Indian community. They tended to emphasize the cultural distinctness of the tribal peoples to a point that they sowed, may be unwittingly, the seeds of a separatist movement among them.

The Christian Missions were the only agency in the field until 1920. Then some of the constructive workers under the leadership of Mahatma Gandhi and some members of the Servants of India Society began to take interest in the conditions of the tribals. A. V. Thakkar was among the most important of them. The Gandhian workers developed their activities among the tribes of Western India and to an extent in the then Central Provinces and Rajputana. The activities covered the areas of health, education, economic betterment and the prevention of exploitation by non-tribal elements. The Servants of India Society undertook some surveys of diet and health among the famine-stricken tribal populations of the south. University students of anthropology had also developed by now considerable interest in studying the life and culture of the tribal people. Their studies made the reading public aware of the different customs of tribal societies and of their problems.

When independence came the ground had been prepared for a more direct interest being taken by government. Government accepted a special responsibility for the general advancement of the tribals and for their welfare. The Constitution of India recognizes the promotion of the welfare of backward classes—including scheduled tribes—as a responsibility of State and requires the appointment of a commissioner who will report to the President on the progress achieved in this direction.

The government of free India has categorically rejected the position that the tribals should be left to themselves or that their mode of living be left untouched. The problem, of course, is how to promote development without creating problems of social disruption. Can people of the hunting age be brought face to face with an industrialized economy without a cultural trauma? This is the problem and the challenge. Much of the social and welfare services organized for the tribals have essentially to attempt this task.

The services offered by government are many and varied. Broadly the services can be divided into three groups—(i) those intended to promote economic development through better agriculture and cottage industries; (ii) those intended to provide physical services of roads, communication and housing; and (iii) those which may be grouped as

services in the field of education, health and social welfare. Administratively, these services are organized at the state level either through social welfare or education or special tribal welfare departments and through the machinery of *panchayati raj* at the district level wherever such institutions exist.

In the central government the subject of tribal welfare is dealt with by the Ministry of Home Affairs. During the First, Second and Third Plans Rs. 170 million, Rs. 410 million and Rs. 530 million were respectively spent on tribal welfare.

A review of financial provisions and utilization does not give a complete picture of the kind of services provided. During the First Plan period much of the work done was experimental. There was no clear assessment of the size or nature of the problem. Many programmes were undertaken on an *ad hoc* basis. 4,000 schools were started, 4,50,000 school children received state assistance, 8,500 students received scholarships for higher study, 653 forest labour cooperative societies were organized to enable tribal workers to enter into direct contacts with the forest department, 8,000 families were settled in colonies, 3,200 medical units were set up and 26 maternity and child welfare centres were established. During the Second Plan period while the allocations on all schemes were increased, economic programmes were given a distinctly higher priority. Many more schools were opened, 106 new medical centres were provided, 24,662 houses were built, thousands of miles of road was constructed. Additionally about 43 multipurpose development blocks were established. In 1973 there were 504 tribal development blocks in the country and the special programme of scholarships for tribal students operated by the Central Department of Social Welfare had benefited over 35,000 tribal post-matric students.

How does one evaluate the impact of these programmes? There seems to be no satisfactory scale for measuring achievements of this type. The targets achieved can be compared with targets set originally. But, in the last analysis, the original targets were themselves set on an *ad hoc* basis. An appraisal of the quantitative aspect of the services provided is not, therefore, likely to be fruitful. A statement of the many schemes initiated by government certainly shows an awareness of the complexity of problems involved in tribal development, though the progress is generally slow.

Of all the schemes those for agricultural development have a special significance. This is so because of the fact that over 60 per cent of the tribals are agriculturists and are attached to land at least as much as the Indian farmer is. Besides, inadequacy of food supply is one of the most urgent problems that the tribals experience. One aspect of

this problem of agricultural development relates to land rights. Over the decades tribal people have tended to lose their land rights. Even after the abolition of middlemen in some states, the tribal cultivators work as sub-tenants and are subjected to threats of eviction. In many states even the legislation abolishing the intermediaries in land ownership has not yet been adopted. Another problem in agricultural development stems from the mode of shifting cultivation that the tribals adopt on hill slopes. Originally this practice was looked at only from the point of view of its potential threat to forest development. Recently there has been a change of view and it is being realized that shifting cultivation has probably special advantages in the practice of agriculture on eroded hill slopes and that what is necessary is not its abolition but scientific development. Efforts have also been made to settle some of the shifting cultivators in colonies. These have not always succeeded because of cultural factors and also at times because of the poor quality of land on which settlement was attempted.

Special multipurpose tribal development blocks have been initiated since the Second Plan to accelerate the development of tribal areas. The total funds allocated for tribal blocks are more than double those available for normal rural development blocks in the country. Yet, they have faced several problems. The schematic budgets drafted for the country-side did not always fit the special development needs of tribal areas. Personnel with the necessary qualifications has been difficult to find for work in these remote areas. Women workers are hardly available. Much time has to be spent on providing physical amenities to staff before the work can get off the ground. Even after the special facilities are provided and economic incentives have been offered to workers posted in tribal blocks the staff turnover remains high.

Next to agriculture, forest work is the most crucial area of economic activity for tribals. By declaring forests to be the property of the states the tribals have been deprived a part of their livelihood. They are allowed to take fuel wood from the forest for their own needs, but they can't fell trees for sale. When the system of auctioning of coupes was introduced the tribal population became forest labourers for contractors. But this employment tends to be seasonal leading to prolonged lay-off periods during which the tribals have no source of livelihood. Also, the conditions and terms of work offered by the contractors are often unfair and exploitative. The facilities given to help the organization of forest labour cooperatives is expected to meet part of the problem. These cooperatives of tribals can make direct bids for forest contracts and thus eliminate the middle man. The work, however, calls for a kind of leadership which the traditional tribal chiefs are not



able to give. They have neither the education nor the experience required for this type of work. Often these cooperative societies prove a failure and are sometimes used as 'fronts' by the erstwhile contractors. In some areas, however, the movement of forest-labour cooperatives has made a great success and has materially helped the tribal population.

Apart from economic development the most important services are those of health and education. Both these services suffer a great deal because of the shortage of doctors and teachers. The absence of good roads renders it difficult to organize even mobile health services. In the field of education the difficulties are multiplied by the problem of deciding upon the medium of instruction, the problem of relating course contents to tribal life and culture, the absence of text books and of the absence of teachers who can communicate effectively in the tribal dialect. Despite these problems many schools, dispensaries and hospitals have been established. Special child and maternal health programmes have been initiated. Campaigns against the major diseases prevailing in the tribal areas—leprosy, yaws and malaria have been organized. Special types of schools called the *Ashram* schools have been started. Special hostel facilities are being provided for tribal students. Liberal grants for scholarships and stipends are available and a few thousand tribal students are now in institutions of higher learning in the towns and cities. Tribal candidates can be admitted to the special seats sometimes reserved for backward classes and can benefit by the lower, concessional requirements for admission to educational institutions prescribed for backward classes. As auxiliary to these service programmes efforts are being made to train and orient personnel for work in tribal areas and to undertake research in the needs of tribal populations as well as the working of the service programmes. It cannot be said that these services are adequate in number or in quality and the judgement of the Dhebar Commission on the over-all impact of tribal developmental programmes is probably unexceptionable. The services, however, mark a distinct improvement over the position in the pre-independence era.

**Scheduled Castes :** The problem of the scheduled castes are substantially different and in many ways more difficult to tackle than the problems of the scheduled tribes. The main source of difficulty arises from the fact that unlike the tribals who live in isolated communities, the scheduled castes are dispersed and live along with, though not as a part of, the normal community. They are a part of the economic complex of rural India. They are dependent upon and render important services to the communities which have traditionally treated them as untouchable and outcaste. Their problems are not those arising out of

lack of contact with civilization. They are specific problems which have arisen in the course of social interaction and are, therefore, very largely social, religious and psychological problems. There are also, of course, economic and political aspects of their problems. Until recently the disabilities of the scheduled castes were many. They were regarded as outside the fold of society and untouchable. They could not draw water from the same wells nor could be served from the same cup. They would not get the services of the village barbers, priests or other occupational groups. Economically they were dependent on their land-owning patrons and were always poor. Politically they could exercise little, if any, influence in the rural community. They were excluded from temples and schools and invariably lived on the outskirts of the villages.

In so far as legal enactment can solve these problems they have been solved. Even during British rule some of their disabilities had been removed by law. They could seek admissions to schools and colleges, they could apply and be selected for jobs other than the ones to which they were traditionally assigned, and in some states they were recruited in large numbers to armed forces. Since independence the legal measures have been even bolder. The Constitution has abolished untouchability. An Untouchability Offences Act passed in 1955 makes the practice of untouchability an offence for which a person can be tried in a court of law. No discrimination on ground of caste can be practised in the grant of opportunities for education and employment. The water facilities, the shops and the temples are legally open to all persons.

The problem, however, is not merely a legal one. Law can confirm legal equality, but the community so benefited must be in a position—socially and economically—to utilize the opportunities that are so opened to it. The work of raising this ability has to be done outside the framework of law by social reformers, social workers and social service administrators. Social reformers have played their part, particularly in the twentieth century under the leadership of Mahatma Gandhi and Thakkar Bapa in making the case of untouchability socially and morally untenable, though they have not succeeded in making the Indian people give up untouchability in practice. By personal practice and precept they prepared the stage for legal enactment. They also worked with individuals and communities to help them organize themselves and benefit by the opportunities that were available. Prior to independence most of this work was done by the Harijan Sewak Sangh<sup>3</sup>, the Depressed Classes League, the Dalit Sewak Samaj, the Christian Mis-

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3. The word *Harijan* meaning "People of God" was introduced by Mahatma Gandhi to refer to the untouchables.

sions, the Ramakrishna Mission and many individual social workers. The leaders of the scheduled castes also did great work in making their communities conscious of their legal rights and social backwardness. The work of B. R. Ambedkar and Jagjivan Ram brought political awareness and self-confidence to the scheduled castes. Much still remains to be done and the services offered by the central and state governments are now being provided to make political and legal equality real for the scheduled castes.

This is sought to be done by organizing propaganda work against untouchability, providing housing facilities and drinking water wells for *Harijans*, offering special assistance in the fields of education, medical relief and health, and by extending special agricultural and economic aid. The government has also given assistance to voluntary agencies who are working in the field of the removal of untouchability. These agencies have attempted to help by persuading the local community to allow *Harijans* to use drinking water wells, enter temples, live in common student hostels, and receive services from the local barber, priest, etc. They have also arranged community dinners and social gatherings and have actively participated in the publicity against untouchability.

Apart from these measures, the government had sought to accelerate the employment of persons belonging to scheduled castes and scheduled tribes by declaring a certain proportion of all posts to be normally reserved for the scheduled castes. It is only when no applicant of the scheduled castes and scheduled tribes is found even minimally suitable for such reserved posts that they are thrown open to members of the more advanced communities. Even in educational institutions efforts have been made either to reserve a certain percentage of seats for scheduled caste candidates who meet minimum requirements for admission in the case of scheduled caste students. Recently a decision has been taken to reserve as many as 30 per cent of the seats in national institutions of professional education like the Indian Institutes of Technology for students from scheduled castes and scheduled tribes.

It is certainly true that as a result of these various measures the number of scheduled caste persons in schools and colleges as well as in various job positions in governments has appreciably increased in absolute numbers. But as the reports of the Scheduled Caste and Scheduled Tribes Commission have repeatedly shown the overall progress reported in the removal of the disabilities of the scheduled castes is far from satisfactory. Undoubtedly the problem of the advancement of the scheduled castes is linked integrally with the pattern of our rural economy. In the more industrialized and urbanized localities, the untouchables are less subject to social disabilities than in rural areas. To the extent that they can take to new non-traditional occupations, they

are able to attain a relatively greater degree of social respectability. In the rural areas occupation and caste are indivisibly linked. In the urban areas the chances of their being separated are greater. At the same time it is evident that while more members of the scheduled castes may take to non-traditional occupations in the urban areas, their traditional occupations are still practised exclusively by the scheduled castes themselves even in the urban areas. Efforts are being made to make some types of work which are specially obnoxious either unnecessary or more acceptable by modifying and improving the tools of their trade.

It is important to note in particular that the scheduled castes themselves do not make up one homogeneous community. Even in the same region there are many local distinctions between different scheduled castes. The status of these different castes is unequal and a form of untouchability is practised even among the scheduled castes themselves. This fact emphasizes in a very peculiar way the essentially social and psychological character of the problem of untouchability. It would be unrealistic to measure the progress made in the solution of this problem either by the amount of money that is spent by the government or by the number of wells and hostels that are constructed to ameliorate their conditions. The proportion of scheduled caste students in schools and in institutions of higher learning, the proportion of scheduled caste individuals in white collar occupations and the proportion of scheduled caste individuals who get elected in general constituencies are, of course, a better indication of the progress registered by the scheduled castes. The social and psychological aspects of the change, however, cannot be measured except by detailed field studies and not many such studies are available.

**Other Backward Classes :** Who are the 'other backward classes' ? This question has not been satisfactorily answered. It is recognized that in every state in the country there are groups other than scheduled castes and scheduled tribes who are educationally backward. They are usually, not always, among the economically poorer groups. They are considered to be socially backward on the basis of some given standards. What are the standards adopted in identifying the other backward classes ? The central government appointed a Backward Classes Commission to arrive at objective criteria for judging backwardness for purposes of conferring educational and other benefits. During the period that the Commission was engaged in its work the state governments were asked to draw up their own tentative lists and provide such benefits as they considered necessary. When the Commission finally reported in 1956 they were unable to recommend specific criteria to be used universally for identifying backward classes. They found that some of the castes that were regarded as backward were numerically the dominant

castes of the region and were politically well-organized; some others were the land-owning cultivators who could not be considered economically backward except in the sense that three-fourth of the country's population is backward; some states had adopted a residuary definition of backwardness by declaring that all communities other than one or two that they had specified were backward. As a result of the failure of the Backward Classes Commission to recommend any specific and objective criteria for determining backwardness, the central government has been unable to make up one unified list of such groups and the Planning Commission has framed no specific proposals for ameliorating their conditions.

The schemes operated by the state governments have naturally varied from state to state. Mainly two types of programmes have been adopted—those relating to achieving educational progress and those which would help achieve better representation in services. Apart from these a few schemes for assistance in housing and economic assistance have been initiated in some states. In a few states the governments have sub-classified the other backward classes into 'backward' and 'most backward' and provided different concessions to the two groups.

The educational benefits conferred by state governments have taken the form of grant of freeships, hostel accommodation and stipendiary assistance. In some states, the governments directed educational institutions to reserve as many as 50 per cent or more of the available seats to candidates of the backward classes. At times the minimum requirements of a specified percentage of marks for admission to an institution were also relaxed to enable backward class candidates to be selected.

The employment benefits in public service take the form of relaxation of the requirements of age or education, reservation of posts for candidates of the backward classes, and laying down of ratio for promotion of backward class employees from one post to another within a department.

More recently in some of the states a new category called the economically backward classes has been introduced. Families with income of less than a specified amount are defined to belong to this category and children from such families are eligible for concessions relating to fees in educational institutions. This mode of identifying the need for assistance is more consistent with the effort to develop an objective and universal criteria for providing special benefits or services.

**Denotified Communities :** This is a group included in the backward classes but about which nothing has been said so far. The denotified communities were until 1952 referred to as criminal tribes or ex-criminal tribes. During the early days of British rule when the

system of road communication was not well-established and law and order were largely left to local authorities, some tribal communities had taken to a life of crime as a way of making the adjustment to new conditions. Some of them had been known for highway robberies even prior to British rule. Others took to theft, house-breaking, etc., consequent upon the loss of livelihood as a result of the political and economic changes that took place. The ordinary provisions of the Indian Penal Code were regarded as inadequate for handling the problem posed by these tribes. The attitude of the British Government was to regard all members of these tribes as potentially criminal. In 1871 the Criminal Tribes Act was passed. Under the Act certain tribes were notified as criminal tribes. Their members were required to register themselves with the police and were forced to live in settlements subject to certain restrictions. The Consolidated Criminal Tribes Act of 1924 dealing with this problem took a somewhat more liberal view and allowed missionary organizations to do educational and medical work among them. In 1949 the Criminal Tribes Act Enquiry Committee was appointed by the central government. The Committee recommended that the Act be repealed and that the penal approach of the Act be replaced by a more constructive approach under which the criminal individual would be dealt with under normal law and the whole community would not be condemned as criminal and subjected to restrictions. In 1952 the Act was repealed and the restrictions imposed on members of the ex-criminal tribes were removed. The Backward Classes Commission considered the question of the welfare of the ex-criminal tribes and recommended several measures including the change of nomenclature from ex-criminal tribes to denotified communities.

The denotified communities are to-day regarded as a part of the backward classes and the special educational and other benefits that are available to latter are also available to the denotified communities. In addition, special schemes of vocational training and facilities for resettlement in small groups in villages and towns are provided.

The major problem to be tackled in the case of the denotified communities is one of changing their basic attitude to the rest of society and ensuring that children and youth get the opportunity for normal development. This is as much a problem of schooling and re-education as of meeting the basic economic needs.

### **III. Welfare Services for Socially Dependent, Physically Handicapped and Mentally Handicapped**

Care of the destitute, the maimed and the halt is among the oldest

of concerns in the field of social welfare. In a sense this section will deal essentially with services organized for such persons though the categories served are now grouped differently and the services are more varied. As pointed out earlier a child who has lost his parents, a woman who has lost her husband or an aged person does not necessarily become destitute or socially dependent in all societies even if he is poor. Where family bonds are strong such an individual may be provided for by near relations. Also, a physically handicapped person does not experience the same problems of adjustment in the simpler, rural societies with a slower tempo as he does in the more complex urban society. He might still be able to meet the demands of his social and occupational roles without special preparation. On the other hand, in the more complex and more individualistic urban societies such an individual may become destitute or otherwise need special assistance to live a normal life in society.

**Socially Dependent :** This section will discuss the problems of social dependence and of physical and mental handicap in separate parts. The term social dependence has wide connotations and refers to situations where an individual or a family is dependent upon society for meeting its normal needs. Persons may become socially dependent because of social, physical or mental handicap or in consequence of a sudden emergency, though it is true that not every physically or mentally handicapped person is necessarily socially dependent. Where a society has not developed services to meet the needs of socially dependent persons, they become destitute. In the more industrialized and economically advanced countries a complex network of social security measures is devised to meet the problems of social dependence which may result from inadequate incomes, unemployment, loss of employment due to illness, loss of bread-winner, incapacity to earn one's living due to young age or physical handicap, or any one of a host of factors. In India a system of social security has not yet been developed and the problem of social dependence is still largely met by the system of mutuality in family obligations characteristic of the joint family and in extreme cases where such a family does not exist, or fails to provide the necessary support, the problem of social dependence is met through care in residential institutions. The limited social security measures as provided in the employees' state insurance programme or through the contributory health scheme meet only partial needs and only for industrial workers and central government employees. There are also public and charitable hospitals which give free medical aid to the poor in the urban areas. There is, however, nothing comparable to the social security system in the USA or in Britain.

In the absence of social security provisions, whenever a family is

unable to help a person residential institutions step in to fill the breach. Such situations arise most commonly in urban areas. This is partly a consequence of the loosening of family ties in the large cities and partly also a result of the fact that needy persons even from rural areas tend to drift to the city for support. The institutions of care are, therefore, naturally located in urban centres. The first such institutions were established in the latter half of the nineteenth century and mostly by Christian missionaries. In doing this the missionaries were following a tradition well set in Europe. They were more sensitive to the new problem as it arose. Soon Hindu, Muslim and other religious groups followed. It was only in the twentieth century that institutions under secular or government auspices came to be established.

(i) **Institutions for Children :** Among the groups whose needs were met by these institutions, the most important were children. Orphaned children, illegitimate children and children who were otherwise likely to be destitute were taken care of in orphanages and foundling homes. The number of such orphanages and foundling homes in the country today is not known. The Advisory Committee on After-Care Programme, appointed by the Central Social Welfare Board, had tried to list in 1955 as many such institutions as could be possibly contacted. They listed 193 institutions—admittedly only a very small proportion of the total number of such institutions that were in existence even in 1955. We have no estimate of the number of such institutions for children in the country.

Most of these institutions are organized by voluntary bodies and a majority of them are affiliated to one religion or the other. There was at one time considerable feeling and debate on this question of religious affiliation and the moral teaching given to children in the institutions. Of recent years the question has received less attention, though the basic issues have not yet been settled. Of course, under the Constitution every faith has the freedom to organize its own institutions so long as they do not derive support from the State. Institutions which derive state support technically keep their admissions open to children of all groups, but it is rarely that they succeed in having a multi-religious group of children.

The question that has received greater attention in support in recent years is about the quality of services offered by the institutions. In particular emphasis has been laid on the desirability of providing vocational training to the inmates of children's institutions. In western countries institutions are able to find adoptive homes for many of their children. In India this is normally possible only in the case of very young infants in foundling homes. Rehabilitation has, therefore, to



be planned on the basis of sound vocational training. Unfortunately, due to shortage of funds, this training tends to be limited to a few relatively unskilled or semi-skilled occupations. This situation has been somewhat improved by a programme of developmental grants from the Central Social Welfare Board and at times from the state government.

(ii) **Women's Homes :** The next most important group of socially dependent persons for whom services are available are women. The problem of widowhood was among the major social problems of Indian middle class society. Early marriages and high mortality rates left a number of men and women widowed at an early age. The men suffered no calamity as a result of widowhood. They continued to enjoy their coparcenary rights in the family property and could marry again. The young widow faced many problems. She had no property in her own rights though she could expect maintenance in the family of her deceased husband. She could not marry again and she rarely had the equipment or the opportunity to earn her own living. In the traditionally lower castes the situation was different. There the widow could remarry and could always find work outside her home without breach of any custom. The upper caste widow who had no parents or in-laws or who for any reason did not wish to depend on them faced a major problem. At times the problem was further complicated by the young widow having been led morally astray. She would then be not only economically needy but socially outcaste.

The first of women's institutions came to be established to meet the needs of such widows, unmarried mothers or, in some cases, deserted wives. Psychologically their problems were very different, but at the level of apparent need they all wanted some shelter. Like the orphanages the women's homes were also established first by Christian missionaries toward the end of the nineteenth century. Soon other religious and non-religious groups followed. The work done by the late D. K. Karve in this field was a major landmark in the development of services for women's welfare. These homes did not, in the initial stages, distinguish sufficiently between the different types of problems with which the women came. Today the effort is to separate the widow and the deserted women whose main problem is economic rehabilitation from the unmarried mother and, further, to separate both these groups from the problems of women who may have been victims of immoral traffic or have been forced into prostitution. This latter problem will be discussed separately under services for social defence.

In 1955 the Advisory Committee on After-care Programmes was able to contact only 35 such institutions which among them cared

for about 4000 inmates. The present number of women's homes is not known. Most of these institutions had no definite programmes of rehabilitation and regarded their inmates as more or less permanent residents. A few of the younger women were helped to get married, the others were given routine jobs within the institution itself. Of late there has been a distinct improvement in this situation. Because of greater financial support through the Central Social Welfare Board the institutions have been able to plan programmes of education and training. Condensed courses to enable the women to attain a minimum level of scholastic competence, training courses in tailoring, nursing, catering, etc., and more organized opportunities for employment have changed the picture considerably.

At the same time the general change in the status of women has altered the nature of this problem. Women in the middle classes today have more education and are better able to look after themselves. There is greater scope for and acceptance of women in employment. The young widow or the deserted wife from the middle classes is today not as helpless as she was. Some of the schemes of economic production started by the Central Social Welfare Board have also significance from this point of view. These will be considered later.

(iii) **Old Age Homes :** After children and women the third group which has received some attention from society is made up of the aged and the infirm. Like other institutions the Old Age Homes were also established mostly by voluntary agencies and, at least initially, by Christian missionaries. The old and the disabled come to these homes to pass their last days. There is no question of rehabilitation in the outside world. The standard of care offered in these institutions has usually been very poor and has rarely extended beyond giving two meals a day and some clothing. A few institutions have been a noteworthy exception. They attempt to make the lives of their inmates comfortable by giving them clean beds, some recreation and social activity. They also provide much needed medical assistance. The total number of such homes for the aged range between ten and fifteen.

Generally, however, institutions for the aged have not received the attention that other types of institutions have. Only very poor and helpless would seek admission to them. The problem of old age among the middle class groups has not been considered a serious one. The joint family is still the major agency to meet this problem.

A development of some promise in this area is the initiation of a scheme of pensions for the old by some of the states and union territories. The benefits are limited to persons over 65 and to those without support, but the step is important because it indicates acceptance of responsibility by the State for at least one category of individuals

and because the assistance is offered outside a residential institution.

(iv) **Destitute Homes** : Apart from institutions for children, women and the aged, there is an omnibus category of institutions called Destitute Homes. Many of them also serve as Old Age Homes but admit others of younger age-groups. Many of the inmates are not only destitute, but also physically handicapped and usually diseased. The facilities offered by these institutions, like those of the Old Age Homes, are very poor. The exact number of these institutions is not known.

It is clear from the above discussion that the services for the socially dependent of various categories are being provided mainly by voluntary agencies. In recent years some of the state governments have also started institutions to meet the problems mentioned herein, but the major responsibility is shouldered by voluntary institutions. There is, however, one way in which central and state governments have helped in the provision of these services. This is through a programme of grants-in-aid to voluntary agencies. This point will be discussed separately in a latter part of this chapter.

**Physically Handicapped** : Welfare services for three major types of physical handicaps will be discussed here—services for the blind, the deaf and the crippled. Initially there were no special services for persons who suffered from physical handicaps. If they happened to be poor and destitute besides being handicapped, they were taken care of in the homes for destitute to which a reference has been made above. It was only with the development of methods of educating the blind and the deaf that their particular problem of contact and communication with the outside world was taken note of. Similarly, the poor crippled were regarded as poor than as crippled. Services for helping them to overcome their physical limitations have developed only recently. In so far as the problem of the physically handicapped was looked upon as a problem of poverty and destitution, the mode of treatment offered was the same as in the case of the socially dependent. People suffering from such handicaps were admitted to residential institutions for care and maintenance. The handicapped persons who were well-to-do were looked after in their own homes. But there, again, they were regarded as being essentially helpless and dependent except for doing small, limited jobs.

The major change in the attitude towards the physically handicapped individuals and their treatment came in the late nineteenth century when the system of Braille writing and printing was developed for the blind, the method of lip-reading and voice-training was developed for the teaching of the deaf and, later, when a whole complex of prosthetic aids were fashioned to help the crippled. The objective

of work with the physically handicapped was no longer organization of mere relief. Education for independence and later training for economic rehabilitation came to be accepted as the goals for this work. With these changes, services for the physically handicapped were no longer restricted to the poor and the destitute. They were equally necessary for the handicapped well-to-do.

(a) Blind—In India the services for the blind began to be organized just in the last two decades of the 19th century. Probably Miss Sharp's school for the blind in Amritsar was the first one to be established in the country. Soon there were other schools; one each in Madras, Ranchi, Calcutta, Kanpur and Bombay. By 1955 there were 45 institutions in the country serving the blind. In 1973 there were as many as 125 such schools.<sup>4</sup>

However, the growth of services for the blind is not to be measured only by the increasing number of institutions. The scope of the services offered as also their over-all approach have markedly changed in recent years. A great part of the credit for these developments must be given to the initiative taken by the Government of India and the national organizations for the blind. The institutions are still largely organized by the voluntary agencies, but government help has been available in many ways.

The Ministry of Education appointed a special officer in 1942 and a Special Joint Committee in 1944 to advise them on the problems of the blind and the services that could be organized for them. The large numbers of the war-blind persons had given a special urgency to the problems of the blind. The reports indicated that the incidence of blindness in the country was much greater than imagined. There were no fewer than 2 million blind persons in the country. Today the number of blind persons in the country is estimated at 4.5 million. The report suggested immediate steps necessary for meeting the problems of the war-blind and also indicated the change of approach necessary in the treatment of the blind generally. In 1943 the St. Dunstan's Hostel was established by the ministry at Dehra Dun and this hostel sought to give vocational skills to the war-blind. It worked exclusively for this group until 1949 and the following year admitted other blind as well.

The government also took interest in the development of the Bharati Braille which is now accepted as a common script for all Indian languages. In 1951 the Central Braille Press was established. During the First Plan priority was given to the production of Braille books and Braille appliances in India and to the establishment of training institutions in the country. Apart from aiding voluntary

agencies, government also established its own institutions in Tamil Nadu, Andhra Pradesh and Rajasthan. The first employment office to develop employment opportunities for the blind was established in Madras in 1954. Now the employment service for the physically handicapped is coordinated with the general employment exchange services in the country which have set up some special offices in the major metropolitan centres. Also, experiments are now being made to impart education to blind children in the same schools as for the sighted. If the experiment succeeds, it might ensure greater educational opportunities for the blind.

(b) Deaf—The problems of the deaf have received relatively less attention from voluntary as well as governmental agencies. The first school for the deaf was established in 1884, a few years before the first school for the blind. But by 1951 there were still not more than a score of such schools. During the period of the First Plan seven more schools were started. Today there are 114 institutions for the deaf.<sup>5</sup> There is no exact and easily applicable definition of deafness and there is no estimate of the number of deaf in the country by whichever definition. The Department of Social Welfare, Government of India, has encouraged the development of training opportunities, has offered scholarships for the deaf and has established a National Centre for the Deaf with training facilities for the adult and the partially deaf. The government has also exempted from duty the import of hearing aids.

(c) Crippled—The services for the crippled—whether amputees or those suffering from neuro-muscular disability—are still very far from developed. As in the case of the services for the blind, the services for the crippled also received an impetus as a part of the programme for rehabilitation of the war disabled. Prior to this period there were no specialized services for the crippled though crutches and artificial limbs had been provided even earlier. A specialized artificial limb centre for servicemen was established in Poona in 1944. After 1951 it was opened to non-servicemen as well. Here the manufacture and training in the use of artificial limbs was organized under the Ministry of Defence. The work was limited to the adult men, mostly amputees. In 1947 the Society for the Rehabilitation of Crippled Children was established in Bombay. Later this society started the first major hospital for crippled children. With the founding of the society and the hospital the problems of rehabilitating children who had become crippled due to a variety of diseases including tuberculosis and infantile paralysis were for the first time brought before the public. Prosthetic aids were sought to be adapted to local needs, facilities for

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5. *Ibid.*

re-training of the muscles through physiotherapy were provided and a training centre for workers with the crippled was established. In 1955 a Rehabilitation and Training Centre for Crippled was started at the King Edward Memorial Hospital in Bombay. The All-India Institute period It serves as an institution for training the many types of per- of Physical Medicine and Rehabilitation was set up in the Second Plan sonnel required for work in this field. Attached to the institute is a prosthetic aid workshop and a vocational training workshop. The Department of Social Welfare awards every year special scholarships to children who are crippled or otherwise physically handicapped.

**Mentally Handicapped :** The term 'mentally handicapped' usually refers to two sets of persons—those who are mentally ill and those who are mentally retarded or deficient. The services for the mentally ill are more appropriately discussed as a part of health services and here they will be only very briefly referred to. The services for the mentally deficient belong to the area of welfare services.

The facilities developed to meet the needs of both of these groups are inadequate in the extreme. The Bhore Committee Report of 1946 brought this out very pointedly and the situation has not materially changed since then. There are no facts available regarding the size of the total problem nor about its nature. The problem of mental illness is sought to be met primarily through mental hospitals of which there are about 30 in the country. The number of properly trained psychiatrists is not large and is limited at best to a few metropolitan centres.

The services for the mentally deficient are even less developed. Until 1940 there were no specialized facilities of any kind to meet their needs. Those who belonged to well-to-do homes stayed on in the homes as helpless dependents. In the rural areas they were able to do routine jobs on the farm or at home. In the urban areas they became more difficult to be accommodated. The presence of a mentally deficient child can sometimes be a strain on the other children in the home. The mentally deficient persons from poorer homes were admitted in infirmaries and homes for the destitute—where they received the usual physical care.

It is only since 1940 that this problem has received a little greater attention. It began to be realized that not all mentally deficient people are helpless and that there are grades of deficiency among them. Some are fit for education and can go to normal schools though they would need special assistance. Others are slow to learn and have to be taught in separate schools. A third group can do only routine and repetitive jobs and has to be trained and placed in such jobs. And, finally, there is a group that cannot live in open society and has to be maintained in

institutions in different degrees of helplessness.

The facilities for education of the first group are not developed at all in the country. Most of the time such children are not discovered as backward until after repeated failures. They get no special assistance and usually drop out from primary schools after a few years. They take some unskilled jobs not involving much intellectual effort or judgement.

For the somewhat more pronounced cases of mental deficiency, there are a few special schools in the country. The first institution known as the Home for the Mentally Deficient Children was set up in 1941 by the Children's Aid Society, Bombay. The School for Children in Need of Special Care, Bombay, organized in 1944, not only serves as a residential institution but also as a training centre for teachers for the mentally deficient. There are more residential institutions for the mentally deficient in Bombay, Calcutta, Delhi, Madras and Trivandrum. Also of note is the work done in this field by the B. M. Institute of Mental Health in Ahmedabad. These institutions admit children of varying degrees of mental deficiency and seek to provide educational services for them.

The All India Institute of Mental Health at Bangalore, is engaged in clinical as well as research work with the mentally handicapped of both categories. Similarly, the Hospital for Mental Diseases at Ranchi has also done much work in this field. Some of the state governments have now plans for establishing a home and a school for the mentally retarded children.

It is obvious that the work with the mentally handicapped is still far from developed and that it has just begun to receive some attention. The government is the main agency of operation so far as hospitals for the mentally ill are concerned ; but voluntary agencies have taken initiative in work with the mentally deficient.

#### IV. Social Defence Services

The exact origin of the term 'social defence' is uncertain. The term has been used to refer to services which are partly protective and educative, but also to a degree custodial and punitive. The individuals covered by these services have transgressed some legal norm and the law which is violated provides for protective, custodial and rehabilitative measures. The three major groups covered by social defence services are juvenile delinquents, women and girls in moral danger, and beggars. The assumption behind the protective and educational services provided to these groups is that though the individuals concerned have

broken a law they are more likely to have been more "sinned against than sinning" and are, therefore, in need of sympathetic assistance rather than punishment. In so far as the whole approach to crime is undergoing a change, it is legitimate to ask whether the area of social defence should not also include the field of adult crime and correction. This section, however, will be limited to a consideration of the services for the three groups mentioned above.

**Juvenile Delinquent :** The first Children Act in India to deal with juvenile delinquency was introduced in 1920 in Madras. But even prior to this Act child offenders were handled somewhat differently from adult offenders. The Apprentices Act of 1850 (now repealed) and the Reformatory Schools Act of 1876 had provided for some modifications in the handling of children. The legal process prior to conviction, however, was largely the same. The child was looked upon as an offender, he was apprehended by the same police, tried by the same magistrate and declared to be guilty or innocent in the same way as any adult offender. There was no provision for probation, confidential investigation, special juvenile courts or remand homes. Even after the guilt was established, the handling of children and young persons inside the custodial institutions was not always characterised with understanding or compassion. The Children Act brought with it a wholly new approach. Compared with later legislation, particularly with the Central Children Act of 1960, the provisions of the 1920 Madras Act seem inadequate ; but when it was adopted it had served as a model for Bengal, Bombay and the Central Provinces. Later, in the forties these Acts were amended and more states—Karnataka, Kerala, Punjab and Travancore—also passed similar legislation.

Under these Acts a child who has committed a theft or any other offence is produced before a juvenile court, is kept in a remand home for children (not in lock-up or a barrack for under-trials), is investigated into by a probation officer and, if found to have committed the offence, is sent to a certified school, or released under probation or the supervision of a guardian. The child is not committed to the adult jail. These are not mere differences of form, but of approach and philosophy. The child is regarded as educable and not wholly responsible for his acts. The object is to give the necessary training or retraining in his habits and attitudes, to give him also the skills that would help him earn a living. He is not committed for a specified period in proportion to the gravity of his offence. He is kept in the institution until the chief inspector of certified schools is satisfied that his education is over or at least until he attains eighteen years of age. The child who has been to a correctional institution, is not regarded as having



served a term.

The Children Act has also some provisions whereby children who are destitute, neglected or maltreated, or children who are uncontrollable can be ordered by a competent court to be taken into protective custody. Such children may be sent to certified schools, released under probation or entrusted to a suitable guardian.

While four states passed the Children Act in the twenties the machinery for its implementation was set up only by Madras and Bombay. Even up to 1950 these were the two states where any appreciable work had been done. In Madras and Bombay this work was initially done by the Children's Aid Societies. They set up remand homes, certified schools and fit-person institutions to look after the children before and after they were placed before the court. Much of the probation work was also done by these voluntary but government approved and supported agencies. In Bombay a number of District Probation and After-care Associations were set up to provide the necessary machinery in the mofussil areas. Gradually the work spread to many other states.

Despite considerable progress made in the adoption of Children Acts by state legislatures the progress registered in actual work is still limited. Paucity of funds and of trained personnel has stood in the way of establishing the necessary institutions or services for juvenile delinquents. Andhra Pradesh, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Delhi and Pondicherry have remand/observation houses, and certified, approved or special schools.

Apart from the Children Acts there are also Borstal Acts in some states under which young adults may be sent to Borstal schools for custody, correction and vocational training. The provisions of the Borstal Act cover only individuals who are above the legal age defining children and below the age of 21. Andhra Pradesh, Bihar, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Tamil Nadu and West Bengal have Borstal schools.

The same approach of correction and re-education is sought to be extended under special legislation for probation services. The earlier probation acts such as those in Madras (Tamil Nadu) and UP gave preferential treatment to young and first offenders. The central Probation of Offenders Act (1958) is more progressive. Almost all states are implementing the provisions of the Act though not in all districts. Again, at the district level, there is pressing need for more probation officers. In states where special Children Acts are not in operation, the courts can use the central Probation of Offenders Act to release children on probation. Probation is found to be an effective

method of rehabilitating offenders within the community. More pertinently it saves them from the scarring experience of prison life.

More recently there has been an increasing appreciation of the need for preventive work with children from slum areas and vagrant children who are likely to drift into delinquency. Some of the work towards prevention consists of healthy, organized recreation for children in the community. This will be dealt with in the next section. More directly related are programmes such as those of the Juvenile Service Bureaus in Bombay, the Bal Sahayog in Delhi, and the Boys Clubs which have been sponsored by police departments in different states. The organizations mainly deal with children who are most exposed to unhealthy influences and who by reason of inadequate parental supervision are very much on their own at an early age. The Bal Sahayog in Delhi works through a system of Contact Clubs for children located in heavily populated, low income areas. The children who are given to wandering about on the streets, are given some activities of interest in the clubs. Those who are in need of greater attention or are found to be difficult by their parents are taken into a hostel which combines residential facilities with training in trades. This hostel does not work like an orphanage nor like a certified school. It is an open institution which works with children whose parents may be alive.

The sum total all the preventive work done by these institutions is, however, very meagre and it is limited to a very few urban areas. Even the rehabilitative work under the Children Act is still very limited except in the southern states, Maharashtra, Gujarat, West Bengal and Delhi. While there may not be equal need for this work in all states, it needs to be given a greater priority at least in the industrial areas in the country.

Another aspect of the work with juvenile delinquents is the care that they need to be given after their discharge from correctional institutions. The Advisory Committee on After-Care Programmes made several recommendations about the kind of services that could be offered and the way they could be organized. The major basis of organization was provided by short-term hostels and long-term homes to be provided at the district and state levels respectively for after-care work. During the Second Plan period and later, several such hostels and houses were set up. Even prior to the appointment of the Committee much useful work had been done in the states of Bombay, UP and Madras by Discharged Prisoners Aid Societies and by Probation and After-Care Associations.

**Women and Girls in Moral Danger :** The practice of prostitution by an adult woman is not against law in the country though under

the provisions of the municipal Acts several local bodies do seek to restrict its practice to certain specified areas commonly referred to as the red-light districts. However, law prevents any person from living on the earnings of a prostitute, from organizing a brothel, or from working as a pimp or a tout, or from engaging in trade in women and young girls. Laws dealing with the suppression of immoral traffic had been on the Statute Books in many states. Even prior to 1951, Bombay, Madras, West Bengal, UP, Punjab, Bihar, Mysore Patiala and Jammu and Kashmir had passed such Acts. Despite this, however, brothels flourished in all big cities and particularly in Bombay Calcutta, Delhi and Lucknow. The state governments had not set up the necessary machinery for implementing the Acts. The Acts usually call for special vigilance units of the police, for reception centres, protective homes and rescue homes. In most cases the states tend to depend upon voluntary agencies for the implementation of their legal obligations. The All-India Women's Conference, the Association for Social Health in India, the Vigilance Association in Madras, and the Nari Raksha Samiti in Delhi took considerable interest in the working of these Acts and set up in different places some of the institutions required under them. The work, however, was slow. There was a dearth of volunteer workers interested in this field.

In 1954 the Central Social Welfare Board appointed an Advisory Committee on Moral and Social Hygiene under the chairmanship of Dhanwanti Rama Rau. The Committee after a thorough study of the problem recommended the steps needed to be taken on the legislative front as well as in the field. It brought to light the part played by middlemen and traders in the prevalence of prostitution and emphasized that a large number of women had been driven into this profession by out-moded socio-religious customs, by individual indiscretions, by community pressures in some groups and by reason of economic hardships. Among its recommendations were proposals to set up Districts Shelters and State Homes where women who sought rehabilitation could be admitted. There was also need for protecting the interests of minor girls who were often caught up in the trade. In their case the law could take a more positive role and apprehend them to be placed in protective custody.

During the plan periods some progress was registered in the implementation of these recommendations. Further, in 1956 a central Act was passed on the suppression of immoral traffic in women and girls. In the same year another Act was passed requiring all institutions serving women and children to be licensed under the Act by various state governments. In 1974 there were over 60 reception centres, and 30 protective homes in various states.

The progress made so far is not satisfactory if it is to be judged from the prevalence of prostitution in the cities. But this is probably not a fair criterion to adopt since there is no law prohibiting prostitution. At the same time no one can seriously claim that brothel keeping and immoral traffic have been materially reduced since the various measures were adopted. The only source of satisfaction lies in the number of women who have been reached and served by these new institutions.

**Beggars :** The problem of beggary, like the problem of prostitution, is a complex one. Neither of them would exist as a problem unless there were in the rest of the community persons who patronized beggars and prostitutes. Begging presents the additional difficulty that in most communities it evokes sympathy for the beggar and the patron believes he is doing a meritorious deed in giving alms. The attitude that a person should not give alms to beggars is not universally held. During the middle ages in most societies begging by members of certain religious orders was not only tolerated but required. Religious orders have by now generally rationalized the process of mobilizing community support and do not depend upon begging by their members. Also, begging as a way of meeting the bare need of physical survival has largely become unnecessary in many countries where a system of social security meets such contingencies. In these countries, therefore, the attitude to begging has undergone a change. It is looked upon as an indication of wilful idleness on the part of beggars. Such a situation does not exist in India. Religious mendicancy is still not uncommon though not all persons who go about in a mendicant's garb belong to a religious order. Besides, there is no system of social security. Jobs are scarce and poverty is very much a reality though, again, not all beggars on the streets are necessarily willing to work for a living. Inevitably, therefore, the problem of beggary in India is at least partially related to the prevalent religio-cultural tradition and to the level of economic development in the country. The measures planned to tackle the problem of beggary have to take these facts into account. They must distinguish between the genuine and the bogus religious mendicants and must also see that those who are willing and able to work for a living are distinguished from those who are unwilling or are unable to work.

There is an additional factor to be taken into account. While a person may initially take to begging because he fails to find work, he may not be keen to return to work once he has taken to begging. The kind of life he can afford with his earnings on a job is probably not much better than the one he is able to support on his earnings from begging.

Prior to the enactment of special legislation on the beggar problem anti-beggary work was done by municipal bodies under the provisions of the municipal and police Acts. The legislation on begging must offer relief to the really needy, deter the wilfully indolent and must offer training opportunities to both. Even today most state governments are not very eager to accept the responsibility for these objectives and have no legislation on the subject. The states that have enacted legislation have made it effective only for limited urban areas. If they were to earnestly implement the law even in the limited areas where it is made applicable they would need many more institutions and services than they have provided. Special Acts where they exist provide for personnel to apprehend beggars, for their classification and temporary custody in reception centres, for their being sentenced to varying periods of detention depending on the number of previous arrests and for their treatment in separate institutions. Special legislation for the control of beggary are in existence in Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Tamil Nadu, West Bengal and Delhi.

Legislation against beggary is, however, only one of the measures that is likely to have an effect on the problem of beggary though this is the only one that directly seeks to tackle it. The other measures are indirect in their impact and more likely to help as measures of prevention. Studies of the beggar problem in Delhi, Bombay and Madras have indicated that the beggar population is made of a very substantial number of persons who are physically handicapped—blind, deaf or crippled. In so far as the services for these groups are being provided the proportion of such individuals taking to begging can be reasonably expected to diminish. Similarly, leprosy patients make up another substantial proportion of the beggar population. Here again the extension of the anti-leprosy measures of the central, state and local authorities will have an impact on the beggar population.

Another major development in the field of social defence is the establishment of the National Institute of Social Defence (formerly known as the Central Bureau of Correctional Services) in 1961 to standardize the collection of facts and statistics relating to crime, prisons, probation and other kinds of correctional work on a national basis, to co-ordinate the work and develop a uniform policy for prevention of crime and treatment of offenders, to assist in the exchange of information with regard to crime prevention and correctional services and provide technical knowledge and assistance and other information either generally or on specific programmes, to exchange information where necessary between India and foreign governments and with the United Nations, to promote research and training of staff, undertake

studies and surveys, and carry out research and experiments where necessary in the field of social defence, and to disseminate information and stimulate interest by publications on relevant subjects. Recently efforts have been made to reorganize the Institute and place greater emphasis on research on social defence, training of personnel and publications.

The National Institute of Social Defence is part of the Department of Social Welfare, Government of India, and the department has constituted the Central Advisory Board on Correctional Services.

### V. Community Welfare Services

The welfare services described in the preceding two sections—viz., services for the handicapped and social defence services—are services organized for individuals who are, in a way, specially handicapped. They are also services usually offered in specialized institutions outside the community. In both these respects the services described in this section will be different. The services of child welfare, women's welfare, youth welfare and welfare of slum-dwellers which will be discussed here are organized in the community and are meant for the normal members of community, not specially for individuals with handicaps.

**Child Welfare :** The twentieth century has been called the "century of the child". This is true in the sense that the importance of childhood in the making of a person was probably never better appreciated before. Physically, socially and psychologically the impressions gained in childhood have the most far-reaching influence on a person. Therefore, any programme of constructive planning which takes into account the human factor cannot proceed very far unless it takes the needs of normal children into account. These needs are varied and are sought to be met through services in the fields of health, nutrition, recreation and education.

It cannot be said that the organization of child welfare services has progressed very far in India. The rate of infant mortality is still the highest in the world and there is considerable morbidity among the older children. Understandably this is an indication of economic backwardness. Yet it is doubtful whether the necessary priority is being given for services for the child.

As in all other fields, the services in the field of child welfare were being provided almost exclusively by voluntary agencies prior to independence. They were, therefore, unevenly distributed and wholly local in their impact.

Among the older services in the field are the health services or-

ganized as maternity and child welfare service. The maternity and child health services included ante-natal and post-natal services for the mother as well as services for the young infant. Creches were required to be provided in factories for the children of working mothers. In the creches the children were given supplementary nutrition and medical attention. These services were also often organized by individual ministries of government for their employees, and by individual industrial units in fulfilment of legal requirements. The Indian Red Cross Society and the Maternity and Child Welfare Associations in different parts of the country took a lead in the field. The Mica Mines and the Coal Mines Welfare Funds Acts provided for these services. Similarly, the Factories Act had a provision for such services in units where fifty or more women were employed.

Since independence and particularly in the first two plan periods the work for maternity and child health gained a considerable momentum. There was a special adviser on this subject in the Ministry of Health and most states set up their own bureaux in this field. More recently the maternal and child health services have been extended through primary health centres of which there are more than 3000 in the rural areas. Besides, there are many hundred independent maternal health centres working in the villages. The welfare extension projects started under the sponsorship of the Central Social Welfare Board and the family and child welfare projects started in 1967 constitute the major programme of services for rural women and children.

A service that was organized early and wholly by voluntary agencies was the provision of healthy recreational facilities to children in the community. The Balkan-ji-Bari was among the first of these voluntary organizations. This was established in 1926 in Sind and later expanded its work in other parts of the country. The Balkan-ji-Bari is a movement that provides organized recreation, informal education and opportunities for character development to young children. The boy scouts and the girl guides movement also has done considerable work in providing purposive group activity to children. The Indian Council of Child Welfare which was set up in 1952 and which works through many state branches has done much to provide a policy leadership in the field of child welfare. Its state branches undertake direct field activities in recreation, in organizing children's museums, and libraries. Recreational services have, however, not become part of a national programme. Government participation has been limited to grant-giving and the setting up of a few institutions like the Bal Bhawan which are expected to serve as models for other bodies. A scheme of organizing holiday camps for children has also been sponsored out of

public funds by the Central Social Welfare Board. The Board assists voluntary agencies in organizing these camps and about 80 such camps were organized every year between 1959-1973.

Since the beginning of the Five-Year Plans some interest has been aroused in programmes of supplementary diet for school children. Originally this work was begun through the free distribution of milk made available by Cooperative for American Relief Everywhere (CARE) and other foreign agencies. In 1970-71 the central government initiated the special nutrition programme for pre-school children and expecting and nursing mothers living in tribal areas, urban slums and in drought-affected rural areas. Government also helps the Indian Council of Child Welfare and the Harijan Sewak Sangh in providing supplementary nutrition to children at their centres.

Pre-school education is another service which has caught the imagination of welfare workers. Balwadis or pre-school education had been started as a part of the welfare extension projects and also under the community development projects. Now they are part of the activities of Mahila Mandal aided by the Central Social Welfare Board and of the family and child welfare projects which were referred to above. Special programmes of training of Balwadi teachers had to be undertaken to meet the personnel demands of this programme. Some have questioned the wisdom of undertaking a programme of pre-school education when the country is not able to implement its pledge of universal primary education. The justification seems to lie in the opportunities for normal physical growth and social development that the Balwadis give to children who would otherwise have no opportunities at all. The assumption that mothers know best what is good for their children is not always justified and even where it is so justified the mothers may not have the means to do what they should.

Among other developments of relevance to child welfare may be mentioned the establishment of the Republic Day Awards, the founding of the Children's Film Society and the Children's Little Theatre. The annual exhibition of children's art organized by Shankar Pillai has also become a major event in which thousands of children from all over the world participate.

**Women's Welfare :** There is scope for some doubt about the exact status of Indian women in the ancient Indian society. Arguments have been put forth to show that their status was high and equal to that of men. Equally it has been argued that this was not the case. There is, however, no divergence of views about what her status has been in the recent past. All through the medieval period of Indian history and through the eighteenth and nineteenth centuries women



have been subject to special disabilities in law, in religion and in social life with the possible exception of the women of Kerala where the matrilineal system prevailed. The women of the middle and upper classes were economically dependent. She could own no property and could do no job outside the home. She was protected and socially segregated. She entered the joint family of her husband's parents as a stranger and had to make all the adjustments in life. Her sphere of responsibility was restricted to the home and it was not considered necessary for her to have any schooling. As a widow she did not succeed to her husband's property and she could not remarry. The dependence and the subjugation of woman was, however, less complete in the lower strata of society.

Most of the work for the improvement in women's status began in the nineteenth century under the leadership of religious and social reformers of the period. It continued through the era of Mahatma Gandhi. Today all the legal disabilities to which women were subjected have been removed. This was due as much to the efforts of Indian women themselves as to the work of the social reformers. The movement for the social advancement of women was ably organized through the all India women's conferences and the National Council of Women in India. The YWCA and other corresponding women's organizations also played their role by working to meet women's social and cultural interests whereas the other organizations worked more at the political, legislative and policy-making levels.

The social conditions of women, however, have not radically changed in many respects. In 1971, the Government of India appointed the National Committee on the Status of Women. The Committee submitted its report in 1974. The report shows how in the areas of education and employment of women there is a considerable gap between the goal of equal opportunity and the actual conditions in our society. The opportunities for work for women are limited and those for part-time employment are even more scarce. Except in agriculture, in mines and plantations, the proportion of women employed in various occupations is still very small, rarely beyond 10 per cent. Among the urban-based industries, construction and *bidi* making are the only two which employ women in large numbers and proportions. In services and professions the percentage of women employed varies between 1 per cent and 3 per cent at the higher levels and around 8 per cent at the lower clerical levels. Among the professions, teaching and medicine are specially favoured by women.

The level of illiteracy among women is still around 82 per cent; for men it is 71 per cent. Only 60 per cent of girls between the age of 6 and 11 are enrolled in school; in the case of boys the enrolment

for this age-group is about 100 per cent. Only about 30 per cent of the girls enrolled in class I continue education upto class V.

The need for organizing special services for women has been generally accepted. The services for maternity and child welfare have already been discussed. They were among the first to be started. Recently the emphasis has shifted to providing facilities for economic activities, education and vocational training. In all big cities and even in small urban areas many schools were established to provide special educational facilities. Special high school and colleges for girls were founded. At one time they constituted only 10 per cent of the total number of educational institutions; in 1972 they were about 30 per cent. Opportunities for training in secretarial work, catering, tailoring, home management, nursing, teaching, etc., are also now available for women in the urban areas.

These educational, cultural and occupational opportunities are not available to women in the villages. A beginning was made in the fifties by providing for a lady social education organizer who would undertake educational and cultural activities for women as a part of the community development staff at the block level. Though one such worker could hardly expect to achieve major results in all the villages in the block, she had opportunities to render some service at least in a few villages. A greater impact was made by the welfare extension projects and later by the family and child welfare projects. The services offered vary considerably depending upon the exact combination of project staff. Usually they consist of pre-school education for children, and maternity services, adult education, cultural activities, training in hand-work and craft-instruction for women. The activities are organized by women staff and are oriented to women and children.

The Central Social Welfare Board supports special accelerated education programme for adult women who had not completed their schooling. Over a thousand such courses had been organized between 1958-73. Through these programmes which were set up locally through voluntary agencies, over 25,000 women have been able to complete their schooling, and became eligible for special training as teachers, nurses, health visitors, etc. Special training-cum-production centres were also set up by the Central Social Welfare Board to train women in the use of the *Ambar Charkha*. The Board also experimented with a programme of setting up small industrial units which would provide employment to needy women.

Working women in urban areas find it difficult to obtain suitable accommodation. To some extent their need was being met by the YWCA in different cities. In Bombay, the University Settlement

for Women also offered some opportunities though primarily they admitted only women students. In Delhi, the Ministry of Rehabilitation had set up a Working Women's Hostel. There was, however, no coordinated effort to meet this need until the Second Plan period when the Central Social Welfare Board established a programme of aiding the institutions which set up such hostels in different parts of the country.

**Youth Welfare :** Youth as a separate, identifiable group emerges more clearly in the urban industrial societies. In the villages men as well as women pass from childhood to adulthood without a prolonged waiting period. In the urban civilizations the period of occupational preparation for men is extended. Men do not take up jobs until they are eighteen and many wait for almost another six or eight years before settling down to a life of adult responsibility. Young men and women who have long passed their childhood and have not yet taken their posts as earners and housewives, are present in larger percentages in the modern societies. To the extent that India is undergoing the process of industrialization and urbanization she is also discovering the presence of this group in its population and the fact that the group has its own special problems.

There are about 91 million persons of both sex between the age group of 15 to 25 years. Not all of them are exposed to the play of the new forces, but at least those who go to schools and live in urban areas are so exposed. The fact that they have many problems which are not yet attended to is seen from the many strikes and demonstrations which disturb the routine of our educational institutions.

Naturally most of the youth welfare programmes that have been devised are oriented to student youth. The approach to youth welfare has been characterized by an emphasis on stating what the community expects of youth. This was justifiable and easily accepted in the pre-independence years. The various *dals*, corps and *sanghs* were organized to mobilize youth. The emphasis has not yet materially changed.

However, it is now being realized that probably the emphasis has to shift to stating what the community is able to offer youth by way of opportunities for growth. The schemes sponsored by the University Grants Commission reflect this awareness to some extent. Provision is now made for student union homes, health centres, workshops, aid funds, counselling services, etc.

The World University Service and the Youth Hostel Association units have helped in meeting student needs and providing activities which would be of interest to students. Over a hundred youth hostels have been set up. The Inter-University Youth Festivals initiated by the Ministry of Education have also brought some enthusiasm to the local college campuses where the preparatory competitions are held at the college or university level. The Association for Social Health in

India has initiated a counselling service for students at the Delhi University. There is a need for multiplication of many such facilities and opportunities.

At the state level there are State and District Youth Boards and Youth Centres. These bodies seek to coordinate government-supported programmes and policies relating to youth.

In 1969 the central government initiated a programme called the National Service Scheme which provided under-graduate students in colleges opportunities for community service. The programme works on a voluntary basis and covers a very small proportion of students. But the programme has been appreciated by the participating students for what it contributes to their growth.

The government has undertaken several activities for promotion of sports and games in the country. Again, while the work done by these bodies is important, it covers a relatively small proportion of youth even among college students. At the college level, sports activities tend to get specialized, if not professionalized, so that for the vast majority of students participation in sports takes the passive form of being spectators at annual events.

There are very few organizations that mobilize or reach out to non-student youth. Even semi-political youth organizations like the ones informally attached to the Indian National Congress, the Bharatiya Jana Sangh and the Socialist Party are active almost exclusively among the urban student youth. Government's own programme of Nehru Yuwak Kendras has still to consolidate itself. It has among its objectives the mobilization of youth on a regional or community basis for constructive nation-building activities.

At the school level there is great neglect of extra-curricular activities. Most schools have no nearby playgrounds, have small funds for expenditure on games and sports and have no competent staff to organize these activities. The Bharat Scouts and Guides have provided one nucleus of activity and there are probably several hundred thousand students who participate in the movement. The National Cadet Corps provides another such focus for extra-curricular activity. In 1975 there were 10,17,163 students who were members of its local units.<sup>6</sup>

**Welfare of Slum Population :** Slums have been one of the important areas of volunteer social work activity. In fact much of modern social work began in the urban slums of industrial centres like London, New York, Pittsburgh, etc. In India this tradition is relatively recent. Many of the child welfare and women's welfare activities mentioned earlier have been located in or near densely populated working class areas. But a direct attack on the many problems faced by

urban slum dwellers is a development of the last two decades. Among the volunteer bodies the Ramakrishna Mission, the YWCA, the Guild of Service in Madras, the Social Service League in Bombay and more recently the Bharat Sewak Samaj in Delhi have been active in the field. The work of these organizations has inevitably been local in its orientation and impact. The need for a government sponsored, coordinated drive against the problems of slum areas is only now being appreciated.

The problems of the slums are of two types—those relating to physical, environmental amenities and those relating to the way of life of the people. The slum areas are characterized by very high population densities. The house structure may be old and dangerous, the civic amenities of water-supply and drainage are either inadequate or non-existent, and the general conditions unclean and insanitary. These problems, however, are not entirely to be blamed on the planners and building engineers. Even where new well-constructed buildings have been made available, as by the Development Department in Bombay, they all became slums in less than ten years. Single room tenements meant originally for one family unit are occupied by as many as twelve to sixteen persons. People sleep in corridors, find the provided bathroom facilities inadequate, allow the children to misuse the surrounding open area and throw dust and garbage out of their rooms into corridors and streets.

More recently new types of slums called *zopad-pattis* have arisen in all the large, metropolitan cities. These are clusters of unauthorized huts and shanties. These colonies are unplanned. Being unauthorized they lack in all the civic services including those of water-supply and sanitation. There are no marked-out lanes. The colonies may be located in low lying areas and get flooded during the monsoon rains.

The dimension of the problem of housing the poor is so stupendous that no government can think of a solution in the short period whereby all these people can be given built-up structures. In Bombay alone there are about 4,00,000 households that live in shanties or on pavements. The cheapest constructed dwelling, if provided by government or any other authority, would cost about Rs. 10,000 per unit. At this rate the funds required for meeting the needs of this segment of the population would be approximately Rs. 4,000 million.

Solutions to the problem of housing the urban poor, in the short run, have to be searched for in other directions. In any such solution, self-help and economy would have to play a central role. One idea currently being promoted is that of providing planned, well laid-out hutment sites with public health services. The person to whom the site is allotted will have to build his hut the best that he can at a given

point of time and go on improving it whenever he can. Additionally, the public authority can undertake to provide different kinds of building materials at cost.

In the last analysis the problem of urban housing and overcrowding is linked to the development of the hinterland from which the poor come. If this hinterland remains poor and offers no employment, the flow of city-ward migration will remain unchecked. Also, if industrial development is unevenly distributed, the chances are that urban growth will also be uneven and we may witness the metropolitan peak pattern of growth characteristic of developing countries.

Apart from providing physical structures for people to live in, there is considerable need for developing other services. In this sphere again there is considerable need for mobilizing community self-help. The experiments in setting up urban community development projects and urban welfare extension projects which were begun in the early sixties have not been pursued. There is a great deal by way of developing pre-school education, organized recreation, vocational and craft training, adult education, citizen's advice bureaus, etc., that needs to be done. Municipal bodies have generally failed to provide a lead in this direction and so have voluntary welfare agencies.

## **VI. Refugee Relief and Rehabilitation**

In 1947 when the sub-continent of India was divided into India and Pakistan a great tragedy occurred. Millions of people who constituted the religious minorities in either country felt insecure and wanted to cross the border in opposite directions. The communal tension that had been roused by the political events prior to partition inevitably made a peaceful movement of people impossible. Riots broke out and people literally fled for their life leaving behind their homes and property. About 7.5 million persons crossed over from Pakistan to India, 4.9 million from West Pakistan and 2.6 million from East Pakistan (now Bangladesh). The problem of providing these people immediate relief and subsequent rehabilitation was huge and complex. It taxed to the maximum the resources of the country and tested the ingenuity of the people themselves. A ministry had to be created at the centre and special departments in the two affected states of Punjab and West Bengal. The patterns of movement from West Pakistan and East Pakistan were somewhat different. The refugees from West Pakistan were large in number, they moved immediately after partition was declared, came in large convoys and the flow was exhausted within a few months. The refugees from East Pakistan came in slowly and years after partition

there were still some refugees moving into Calcutta.

The relief services offered were many. First, the people needed transport. People from West Pakistan had crossed the border on foot, in motor vehicles and in trains. Their transportation had been arranged by an agreement between the two governments. Despite precautions and safeguards there was large-scale murder and looting of the refugee convoys. From the point of entry in the country the Indian Government took over the complete responsibility for transport and relief measures. The operations were directed by the armed forces though volunteer organizations also helped. Free railway travel was provided for all upto the transit camps that were established in Punjab. At these camps people were provided with foodgrains, clothing, shelter, fuel and milk. Arrangements were also made for medical attention.

Soon thought had to be given to a long term solution of the problem. Economic assistance to the needy was organized. Loans for starting trade and industry and for settlement on land were made available. Refugee townships were established in every major town in Punjab and in Delhi. Houses were made available on a rent-purchase basis. Housing loans were provided. In course of time compensations were offered for material losses suffered in Pakistan. Schools were started for children and special vocational and technical training courses were organized for the young. Women and children who had no one to look after them were admitted to institutions in which they received care and training. A programme of relief and rehabilitation on this scale had never been handled in India before and probably nowhere else in the world except after the Second World War in Europe.

Immediately prior to the establishment of Bangladesh, there were anywhere from eight to ten million refugees from East Pakistan who had migrated to India. They had to be housed and fed during the entire period of hostilities and it was only in 1972-73, after a stay of nearly two years, that the refugees were able to return to their homes.

Apart from relief and rehabilitation of refugees, governments both at the centre and in the states have had to face a major challenge in meeting situations of drought and famine in one part of the country or the other during the entire period from 1967 onwards. To meet these contingencies, government have used various emergency relief measures. Arising out of this experience has emerged the idea of providing guaranteed employment to the rural population as a first step towards developing a system of social security for the non-industrial, non-urban segment of the population. Maharashtra has been the first state to experiment with this measures. If it succeeds in minimizing the hardship of agricultural workers during periods of unemployment and under-employment, it will be an important step towards employment and income security.

## VII. Prohibition

The Indian National Congress under the leadership of Mahatma Gandhi had worked against the evil of drink even prior to the attainment of independence. In the thirties, picketing of liquor shops was accepted as a part of the programme of civil disobedience. Drinking was condemned from a variety of points of view. Socially it was considered wasteful and harmful. Low paid workers in towns and cities often spent their entire weekly earnings at toddy shops and lay drunken in the streets. The families were left starved and neglected. The ill-treatment of wives and the general unhappiness in family life associated with heavy drinking was the major social argument against drink. But, drinking was also condemned on moral and religious grounds. Drinking was bad and sinful. As a result what was aimed at was not temperance but prohibition. Temperance can be a subject of social reform, prohibition is a matter of state policy.

In 1937 when the Congress ministries came to power in the provinces, they accepted prohibition as a policy. All the arguments against prohibition were raised then as they are raised now. Prohibition is criticised as being unnecessary as well as impractical. It is considered unnecessary since only a few individuals really get drunk and there is no reason why the simple pleasures of the rest of the population should be taken away from them. There is nothing immoral or sinful in drinking, though drunkenness may have bad consequences for the individual and society. Prohibition is considered impractical because it deprives the state of much needed revenue, it calls for a cumbersome and expensive administrative set up for enforcement, it gives rise to illicit distillation and boot-legging, it reduces the respect for law because of the failure to rigorously enforce the law and tends to make anti-social elements more powerful than they otherwise would be.

The provincial governments in 1937 were not deterred by the criticism and went ahead with the programme of prohibition. After independence the Constituent Assembly accepted the policy of prohibition as one of the directive principles for the states. Subsequently in 1956 the Parliament passed a resolution directing the Planning Commission to formulate a programme which would ensure speedy and effective prohibition all over the country. Yet twenty-eight years after independence the progress towards complete prohibition is slow. In fact, many states which began with total prohibition have now relaxed their control. With the exception of Tamil Nadu and Gujarat there is no other state in the country where total state-wide prohibition has been imposed. In most states prohibition is partial in the sense of being limited to some of the districts or limited to some of the days of



the week. In most states, again, a system of permits, allowing individuals to continue alcohol on grounds of health, exists.

The central government had appointed in 1963 a commission to study the implementation of the policy of prohibition in different states of the country. The commission had reaffirmed the need for working towards the goal of prohibition and had suggested a gradual policy for its achievement.

### VIII. Charitable Endowments and Public Trusts

The creation of charitable endowments and public trusts is one way in which to ensure continuous availability of funds for special charitable purposes. In olden days this was achieved by making land gifts to temples and *maths* from which the religious *samsthans* have been built. In the modern period it is more common for donors to set aside large sums or give them as endowments to institutions which then hold them in trust so that the interest derived on the sums can be utilized to support particular types of charity. More recently donors have transferred some of their holdings in commercial or industrial firms to public trusts so that the profits on these holdings are utilized for charitable purposes.

Major national trusts have been created in the memory of Mahatma Gandhi and Kasturba Gandhi. There are also major public trusts created by private philanthropists like the Tatas, Wadias, Birlas, etc. Once the money or properties donated have been created into a public trust the individual donor or donors lose control over the utilization of funds except in so far as they act as duly appointed trustees. Even the trustees can act only in fulfilment of the objects set out in the trust deed. The legislation governing public trusts is intended to protect public interest and prevent misuse of funds. There are central as well state Acts governing the working of public trusts and charities.

The term "charitable purpose" is legally defined as including relief of the poor, education, medical relief and the advancement of any other object of general public utility. It is, however, usual to limit individual trusts to any one purpose or to any one section of the public. Many of the older trusts were sectarian in nature, limited to particular castes, or sub-castes or religious communities. There is nothing in law to prevent such trusts being created today, but it is an indication of the broadening of peoples' sympathies that a large number of trusts established in recent years have been non-sectarian.

One of the problems related to the administration of public trusts is the likelihood of the obsolescence of a particular objective for which

a trust may be set up. Trusts have sometimes been set up for very restricted purposes of groups ; e.g., trusts have been set up for meeting marriage expenses in some small sub-caste ; for arranging feasts on particular occasions; for employing men to serve water at *piaos* (water stops) in cities ; or for constructing platforms to enable load carriers to rest their head-loads along a highway. After lapse of a few decades the purposes defined may not seem worthwhile and it may sometimes become difficult to find qualifying beneficiaries for the gifts made by the trust. In such cases it is now possible to seek permission of the High Court for modification of the purpose to another closest to the original purpose.

The Public Trusts Act which was passed by the bilingual Bombay State had provided for considerable regulation of public trusts by government. Many other state Acts have done the same with public trusts and charities registered in their areas. Now trusts are required to furnish details about the funds and their utilization, about the trustees, objects, total assets etc. These Acts have provided for an adequate administrative machinery with a charity commissioner at the head. The commissioners have the powers of supervision and regulation.

### IX. Development of Professional Education for Social Work

One of the important developments in the social welfare field has been the emergence of the profession of social work. The first school of social work was established in 1936 but most of the other schools were established or attained maturity in the post-independence period. The growing complexity of social problems, the increasing differentiation of the social institutional structure, the growth in the body of behavioural science knowledge, opening up the possibility of prevention as well as rehabilitation in respect of individuals who are afflicted by social problems—these and others have been the major factors leading to the development of this new profession.

Schools of social work have promoted a scientific outlook in special welfare work. The employment opportunities for their graduates are still largely in the urban areas, though a small number are working in the villages. There were 32 schools or departments of social work in the country in 1975-76.<sup>7</sup> Most of them offer two-years post-graduate programmes leading either to a diploma or a master's degree. A few undergraduate programmes have also been established over the last twenty

7. *Handbook of Social Welfare Statistics 1976*, New Delhi.

years.

Apart from schools of social work which impart professional education, there are programmes of training auxiliary personnel in the field of social work. These programmes are organized either directly by government departments which need their services or through voluntary agencies which are government-aided. The course for training Balsevikas is probably the oldest of these programmes.

The Association of Schools of Social Work and the Indian Association of Trained Social Workers are the two professional bodies in the field of social work.

### **X. Administration and Coordination of Welfare Services**

Since 1964, social welfare services are administered by the Department of Social Welfare, Ministry of Education and Social Welfare of the Government of India. The Department of Social Welfare covers the following fields : (i) child welfare and coordination of activities of other ministries and organizations in connection with these subjects; (ii) Bal Bhavans, children museums; (iii) orphans and orphanages; (iv) beggary, juvenile vagrancy, juvenile delinquency and other CARE programmes; (v) United Nations International Children's Emergency Fund (UNICEF); (vi) education of the handicapped; (vii) social and moral hygiene programmes so far as they relate to women in danger such as rescue homes and reception centres including after-care programmes, the administration of the Suppression of Immoral Traffic in Women and Girls Act, 1956 and the establishment and maintenance of protective homes; (viii) social welfare; (ix) Central Social Welfare Board; (x) all matters relating to prohibition; (xi) Central Institute of Research and Training in Public Co-operation; (xii) training of rural women in public cooperation; and (xiii) National Institute of Social Defence.

In August 1953, the Government of India set up a special organization called the Central Social Welfare Board for channelling its grants to voluntary social welfare agencies. Among other things, this organization was also expected to promote coordination between different voluntary agencies, to undertake studies of social welfare problems and to initiate experimental projects in social welfare. The Central Social Welfare Board is an independent registered body though administratively it is a part of the Department of Social Welfare. Over the last two decades the Central Social Welfare Board has expanded its activities much beyond the limited scope of operating a grants-in-aid programme.

The following activities of the Central Social Welfare Board have already received a mention at various points in previous sections. The welfare extension projects of the Board have been gradually modified into integrated family and child welfare projects. Condensed courses of education of adult women have been organized to enable them to join special training courses designed to equip them for jobs such as teachers, welfare workers, etc., in rural areas. The Board has assisted voluntary organizations in providing welfare extension projects in urban slums. The socio-economic programmes of the Board included schemes pertaining to production units of small industries, units ancillary to large industries, handloom-training-cum-production units, handicrafts, production and procurement units, etc. For the healthy development of children, a scheme of holiday camps have been organized by giving financial assistance to voluntary organizations. Besides, the Board has supported special child welfare schemes as pre-school projects, demonstration projects, foster care series, etc. On the whole, the Board has stimulated the growth of participation of welfare agencies and also encouraged people's participation in voluntary organizations.

The Central Social Welfare Board is supported by Welfare Board at the state level. Until a few years ago, the State Welfare Boards were advisory in their function but following the recommendations of the Study Team on Social Welfare and Welfare of Backward Classes some of the executive functions of the Central Social Welfare Board have now been passed on to them.

Outside the Department of Social Welfare, the Ministries of Home Affairs, Health and Labour are the three major agencies which handle social welfare programmes. The Home Ministry is in-charge of the programme for the backward classes, the Health Ministry operates all programmes pertaining to maternity and child welfare and has recently taken interest in the promotion of urban community development services as a part of its responsibility for local self-government. The Labour Ministry is responsible for legislation for the welfare of industrial employees, administers the Employees' State Insurance Scheme and has, under its own auspices, initiated welfare measures for the employees of the central government.

The organization of social welfare activities at the state level follows many patterns. In a few states, the social welfare subjects are divided between many departments. However, today Directorates of Social Welfare have been set up in most states which bring together many subjects which were formerly distributed in different departments. States such as Karnataka and Rajasthan have probably the most unified social welfare directorates which look after the welfare of back-

ward classes, correctional services excluding prisons, and other types of social welfare activities. Some states have additional directorates specializing in one field of work such as the Directorate of Tribal Welfare as in Maharashtra, the Directorate of Social Defence as in Gujarat, the Directorate of Approved Schools and Vigilance Service as in Tamil Nadu, and the Directorate of Women's Welfare as in Andhra Pradesh. One of the problems of coordination of the state level relates to the relative spheres of responsibility of the Directorates of Social Welfare where they exist and the State Social Welfare Boards. The state governments used their own programmes of grants-in-aid even prior to the establishment of the Central and State Social Welfare Boards. With the establishment of these boards, there is a fear of duplication in the work of the two agencies. There is also some questioning of the need for two such agencies at the state level.

It has sometimes been suggested that the state Directorates of Social Welfare might concern themselves exclusively with the statutory responsibilities of the government in the field of social welfare and the State Social Welfare Boards may take responsibility for work done by voluntary agencies in the non-statutory sphere. A final policy in this respect has yet to be devised.

Apart from coordination between different departments or agencies of government, there is also the problem of coordinating state and voluntary efforts in the field of social welfare.

From the discussions in the preceding sections it is evident that welfare services in the country are organized under the auspices of the government as well as voluntary agencies. At the present level of economic development, the government is not in a position to take over the complete responsibility for meeting the minimum welfare needs of the people. Even if it had the necessary financial resources, it is unlikely that the government would wish to supplant the efforts of voluntary agencies in the field of social welfare. The possibility of a conflict or even an overlapping in the spheres of activity of public and voluntary agencies is at present somewhat imaginary. This does not mean that there is no need for coordination between the efforts of the two. The central government has tried to provide opportunities for coordination in three different ways; (i) by informally associating representatives of voluntary agencies in the formulation of the plans and policies for social welfare through the standing and *ad hoc* committees under the Department of Social Welfare, the Central Social Welfare Board and the *ad hoc* working groups on social welfare, (ii) by operating an extensive programme of grants-in-aid as through the Central Social Welfare Board; and (iii) by entrusting the implementation of certain government sponsored schemes through voluntary agencies, as in the

case of most programmes of training and research.

The difficulty in effective coordination, however, arises from the lack of organization among the voluntary agencies themselves. For nearly every field of social welfare activity there is today at least one agency at the all-India level but there is no effective coordination between these all-India agencies either at the level of policy-making or programme implementation. Even within the same field of activity, the all-India agencies concerned are rarely able to ensure minimum standards of service or adequate coverage of the problems faced. When, therefore, the government invites representatives of voluntary agencies for discussion in planning bodies, there is usually a difficulty of arriving at a common set of priorities or a common point of view.

In this area the work done by the Indian Council of Social Welfare has been valuable. Established in 1974, the Council met in annual sessions for over ten years and then has had biennial meetings on subjects of importance to social workers. The Council has also organized several national seminars in the area of social welfare. Through these meetings it has endeavoured to develop a sense of purpose among social workers to make administrators, educators and volunteers in social welfare, see each other's problems and points of view, and has besides helped to educate the community in the need and scope of welfare services. The need for training for a scientific orientation and for coordination of social work endeavour was first highlighted in the deliberations of the Council.

Apart from the Indian Council of Social Welfare, the other all-India organizations also hold periodic conferences and seminars. They are all valuable in so far as they give opportunities to workers to discuss their common problems and to exchange experiences. But conferences, as a rule, are not suited, to the formulation of definite proposals, nor have they resulted in definite efforts at coordination between the work of different agencies. To an extent a diversity of views and an absence of uniformity between agencies is necessary and valuable. It is also unlikely that in a democracy a complete unity of perspective can be attained in any field except in times of emergency. On the other hand, in so far as the resources are severely limited—in money as well as men—a general agreement on priorities and the allocation of resources is vitally necessary.

## CHAPTER XI

# PUBLIC LIFE AND POLITICAL ACTIVITIES

### I. Political Parties

Public life of any people depends upon the religious, social, economic and political traditions and institutions of the country. The importance of any of these aspects varies from time to time, and the main purpose of true history is to record these variations.

In ancient and medieval India, religion dominated public life. Next in importance were family relation, and changes and adaptations in hereditary occupations. The economic structure consisting of agriculture, cottage industries and handicrafts continued practically unchanged. With the continuous rise and fall of dynasties in ancient period, political life was unstable, but, till the Muslim invasions, they did not affect seriously the life of the common people. With the advent of the Muslims, public life was subject to radical changes. Still, in the main, religion continued to be major pre-occupation of the people. The Hindu social structure continued to maintain itself in its old form, and the pattern of economic life was undisturbed. Even when Europeans—Portuguese, French and English—arrived and began to take advantage of the political confusion, public life in India was not seriously affected. It was only when, as a result of new ideas, England underwent a scientific and industrial revolution, the extension of British rule in India began to produce profound changes in the climate of public opinion in many parts of this country. The introduction of English education, laying of rail roads, introduction of posts and telegraphs and finally transfer of the Government of India from the East India Company to British Crown combined to shift the emphasis from religion and caste to politics and economics. Even then the change was very slow. The Brahmo Samaj, the Arya Samaj and the Ramakrishna Mission, which were among the earliest manifestations of Indian renaissance under British rule, were all religious organizations but they infused a new spirit and dynamism in Indian outlook which found expression in the evolution of new political and economic ideals.

From its very foundation in 1885, the Indian National Congress became a major force in Indian public life. There were a few local organizations and some newspapers which had prepared the ground.

One of the chief founders of the Congress was A. O. Hume, a retired Indian Civil Servant. He had the support of the then Governor-General Lord Dufferin. A wave of democratic liberalism was sweeping over Britain and it had its repercussion on the outlook of the British rulers in India. At first, the Congress contended itself with annual sessions where resolutions were passed for Indianization of higher government offices and development of social services. Its leadership consisted of prominent lawyers, rich *zamindars* and other successful middle class professionals. But soon an extremist wing emerged which tended towards mass agitation and demanded complete political freedom. This, combined with fearless criticism of the British Government and its policies, aroused the wrath of the authorities. It culminated in the agitation against the Partition of Bengal in 1905 which was effected partly for administrative and partly for political purposes. These developments brought about a complete breach between the Congress and the government. It may be rightly said that from the beginning of the 20th century, Indian National Congress became the authentic voice of politically conscious India. All the great makers of modern India from Dadabhai Naoroji to Mahatma Gandhi were members of this organization and contributed to its greatness.

Though the Congress was the major political organization of the country till it attained freedom on August 15, 1947, it had to face severe internal criticism and dissensions. In 1907, there was a split and it became the organ of the Indian Liberals or the Moderates having lost vigorous extremist wing headed by B.G. Tilak. There was a reunion in 1916 but when Mahatma Gandhi assumed its leadership and launched the Non-cooperation Movement, the Liberals left the Congress. They cooperated with the government in working the Montagu-Chelmsford Reforms, but their influence continued to dwindle till they ceased to be an organized party.

Under Gandhiji's leadership, the character of the Congress and the nature of its activities underwent revolutionary changes. It ceased to be the organization of the upper middle classes and spread to the lower middle classes, workers and small peasants. Further it refused to depend on mere constitutional agitation. The Non-cooperation Movements of 1921-23 and 1930-34 and the Quit India Movement of 1942 constitute unique chapters in the history of the struggle for freedom of subject peoples. Thousands of persons, including large number of women who had up to that time never ventured out of their homes, defied the laws and orders of the British Government peacefully, courted imprisonment and cheerfully submitted to other sufferings and sacrifices. A new set of political leaders inspired by Mahatma Gandhi took charge of the national movement. It is enough to mention the names of



Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad, C. Rajagopalachari, J. B. Kripalani and Abul Kalam Azad. Under these leaders, there arose many selfless workers in every part of the country. The entire people of India became politically conscious and though the Non-cooperation Movements were momentarily suppressed, the British authorities in India felt their empire slipping from under their feet. The Government of India Act of 1935 was an infructuous attempt to compromise with the growing national movement.

Even during this period of struggle, the Congress continued to be a democratic organization with complete freedom of speech and criticism in its ranks. In 1922 elder statesmen like Motilal Nehru, Deshbandhu C. R. Das and S. Srinivasa Iyengar started a movement for entering the Councils which, in spite of fierce internal resistance, succeeded in capturing a large number of seats in the Central Legislative Assembly. The Congress Party under Motilal Nehru established fine parliamentary traditions. Again, after the Salt *Satyagraha* Movement, the Congress swept the polls for the general or predominantly Hindu seats in 1934 in the Central Assembly. The Congress Party under Bhulabhai Desai fully maintained the traditions of Motilal Nehru. In 1937, the Congress captured the vast majority of seats in many of the state assemblies formed under the Act of 1935 and decided to form ministries wherever it had a majority. The Congress ministries under C. Rajagopalachari in Madras, G. B. Pant in U.P., B. G. Kher in Bombay, Shrikrishna Sinha in Bihar, and Ravi Shankar Shukla in the Central Provinces demonstrated that Congress leaders were not mere agitators, but could run the government equally well if not better than the British. It was, therefore, not surprising that when the British decided to transfer power on August 15, 1947, the transition was smooth except for the pangs of partition. Though the Congress Party dominated the Constituent Assembly, it had the foresight to invite leading public men, lawyers and administrators like Alladi Krishnaswami Aiyar, B. R. Ambedkar, B. N. Rao and Gopalaswamy Iyenger to take part in the deliberations.

In the first decade of the 20th century, the British Government in its anxiety to arrest the growth of Indian nationalism encouraged the formation of anti-Congress political organizations. The Muslim League was formed to press for communal representation in the Minto-Morley Reforms of 1909. When this demand was conceded, the League gained considerable following among the Muslims. For a time, it came under the influence of nationalist Muslims who tried to find a basis for reconciliation between nationalism and communalism. This finally proved impossible and under M. A. Jinnah, who was once a fervent nationalist, the Muslim League became an uncompromising advocate of

the two-nation theory, which culminated in the division of India and the constitution of certain areas in the north-west and north-east where Muslims were in a majority into a separate independent State of Pakistan.

The Hindu Mahasabha was formed in 1910 as a counter-blast to the Muslim League with the main object of resisting Muslim communalism. In its earlier stages, Congress leaders like Madan Mohan Malaviya and Lajpat Rai were associated with it. But since 1932, when the Congress closed its membership to members of communal parties, it became a separate organ of Hindu interests, but it never had much political pull.

In some parts of north India; the British Government tried to organize the *zamindars* and other vested interests, but it was not a success. In Madras, however, the Justice Party which came to power in 1920 did operate as a check to the Congress. Though it was submerged by the rising tide of nationalism and was completely routed in the General Elections of 1937, it left a residue which re-emerged as the Dravida Kazhagam and Dravida Munnetra Kazhagam Parties in free India.

As a national organization engaged in a struggle for freedom from British imperialism, the Congress had in its fold all kinds of groups and individuals with varied economic and social objectives. There were believers in orthodox capitalist economics. The Gandhian conception of Indian economy, chiefly based on simple manual labour in agriculture and cottage industries, was accepted by many of the ardent and idealistic workers. There were also many socialist groups of whom some believed in Marxian socialism, others in Fabian or democratic socialism. Of all these groups, two deserve special attention since they emerged as full-fledged political parties under the names of the Socialist Party and the Communist Party.

The Congress Socialist Party began as a group within the Congress in 1934. Its first leaders were Narendra Deva, Jayaprakash Narayan and Achyut Patwardhan who were also members of the Congress Working Committee in 1936. They were against acceptance of office by the Congress under the Government of India Act of 1935. At that time, the Congress Socialist Party was strongly inclined towards Marxian socialism and had two communists as its joint secretaries. But in 1940, there was a complete break between the Congress Socialist Party and the Communist Party.

The Congress Socialist Party favoured the Quit India Movement whole-heartedly. In the Allahabad session of 1945, socialist policy of the party was formulated including land ceilings, maximum employment through industrialization, and *panchayati raj*, all of which were

incorporated in the Congress programme after independence.

As a result of its break with the communists, the Congress Socialist Party tended towards democratic socialism, its programme thereafter being almost indistinguishable from that of the Congress, the main disagreement being as regards the pace of advance. The Congress Socialist Party did not like a negotiated settlement with the British Government and it refused to participate in the Constituent Assembly. Ultimately, it separated formally from the Congress in 1948.

The Communist revolution in Russia at the end of World War I was a momentous event. According to the ideas of Karl Marx, the Communist revolution when it took place could not be content with success within a country, but would have to embrace the whole world. As soon as the Bolshevik government had been established under Lenin, the Third Communist International was set up to spread the spirit of revolution in all countries. In accordance with its policy, the Communist Party of India was established as a branch of the International in 1924. The ground for it was being prepared by S. A. Dange through his English weekly paper *Socialist* and by Muzaffar Ahmad through his Bengali weekly *Gana Bani*. But the British Government in India was resolved to nip the movement in the bud and the Kanpur Conspiracy Case of 1924 in which all the prominent leaders were involved hampered the progress of the movement. Then the Communist Party of UK took charge of Indian communism and Palme Dutt assumed its direction. A group of British communists including the Finnish wife of Dutt, came over to India and tried to introduce communism by the back-door of the trade union and peasants' and workers' movements. The party was reorganized in 1938 with a new central executive, a few months after the Sixth World Congress of the Communist International. The first fruits of this reorganisation were communist control of the trade union activity in Bombay, and the textile strike of 1928. The British Government made a second assault on the communists with the Meerut Conspiracy Case (1929) in which many of its leaders were involved.

In 1935, finding it difficult to organize an independent party of their own, the communists adopted the policy of infiltrating into the Congress and particularly into the Congress Socialist Party, which then constituted a strong group within the Congress. The slogan of the united front against British imperialism became popular, and it was supported by Jayaprakash Narayan. As has already been pointed out, the communists had two members on the executive of the Congress Socialist Party. Many communists were in the All India Congress Committee and the provincial and district Congress committees.

The outbreak of the World War II posed difficult problems to the Communist Party of India. When Stalin made his deal with Hitler and USSR stayed out, the communists enthusiastically supported the Congress stand against forced participation in the war. But as soon as Hitler attacked USSR, the communists began to claim that it was a peoples' war and became active supporters of the Indian government against the Quit India Movement. This devotion to USSR cost the party almost all its support among the masses and the lower middle classes. But active government support enabled them to dominate the All India Trade Union Congress, and through it the organized Indian labour which was otherwise benefited by the war. Besides labour, the communists tried to utilize the opportunity afforded by the imprisonment of all national leaders and workers to organize students', peasants' and women's organizations. An association of progressive writers was formed as also another called Friends of the Soviet Union, which became the rallying points of fellow-travellers who did not want to join the Communist Party directly. On account of these activities, the communists were expelled from the Congress Socialist Party in 1940, and in 1945 were declared ineligible to become members of the Congress.

With the end of the World War II, the communists had to make another complete reversal of policy. The British Government in India became a hated imperialism and by starting an immediate nationwide revolt against it, the communists sought to win back a part of their lost popularity. They opposed vehemently the Congress negotiations with the British Government, and their extreme elements advocated a militant policy of violent guerilla war. There were outbursts in Bombay and Travancore, and the rise of the Razakars in Hyderabad gave the communists the chance to build up a strong territorial centre in Telengana.

During the first decade of freedom, the Communist Party had been utilizing all available opportunities to re-establish itself. India's friendship with USSR on the one hand, and the newly established Peoples Republic of China on the other gave it a status of respectability. By alliances with other minority parties and groups and free mixing with landless labourers, small peasants and factory workers, it gained considerable electoral success in the first three General Elections. But the Sino-India conflict of 1962 affected the prospects of the party.

The main object of political parties in a democracy is to put forward economic and social programmes, mobilize public opinion for them, contest elections, form the government or oppose it in a constitutional manner.

For the principal political party, namely, the Indian National Congress, this change was not particularly difficult. It has already

held out specific promises of abolition of *zamindari*, planned economic development, rapid industrialization, universal primary education, etc. When its leaders took charge of the government in 1947, the Communists and the Socialists were out of the Constituent Assembly and the Provisional Parliament. There was hardly any opposition except within the ranks of Congress Parliamentary Party itself. So the Congress government at the centre and in most of the states functioned more or less as national governments. For the other parties, the major task was to build up an organization to fight elections. It was necessary for groups with similar objectives to combine, but this was not easy.

At the First General Elections of 1952, the Election Commission recognised 14 parties<sup>1</sup> as all-India parties out of 29 which had sought recognition on an all-India basis. Out of 489 seats, the Congress secured 364 seats, the Communists 16 seats and the candidates supported by it 10 seats. The Socialists got 12 seats, Kisan Mazdoor Praja Party (KMPP) 9, Hindu Mahasabha 4, Jana Sangh and Ram Rajya Parishad 3 each, and the Scheduled Castes Federation 2. Of the state parties, Ganatantra Parishad of Orissa secured 5 seats, Akali Dal 4 and the Jharkhand Party of Bihar 3. After the election, the Election Commission decided that for recognition of a national party, its candidates must have polled at least 3 per cent of the total valid votes polled in the parliamentary elections. A similar rule was laid down for the recognition of the state parties. On the basis of this criterion, only 4 parties viz., the Indian National Congress, the All India Bharatiya Jana Sangh, the Communist Party of India and the Praja Socialist Party were recognized as national parties, for the Second General Elections, while 19 were recognized as state parties. The following table shows the names of the state parties and the state or states in which they were recognized :

Name of the party	States in which Recognized
1. Forward Bloc (Marxist)	West Bengal.
2. Hindu Mahasabha	West Bengal, Madhya Bharat, Saurashtra and Bhopal.
3. Ram Rajya Parishad	Madhya Pradesh, Uttar Pradesh, Madhya Bharat, Rajasthan, Ajmer and Vindhya Pradesh.

1. All India Forward Bloc (Marxist Group); All India Forward Bloc (Ruikar Group); Akhil Bhartiya Hindu Mahasabha; Kisan Mazdoor Praja Party; Akhil Bhartiya Ram Rajya Parishad; All India Scheduled Castes' Federation; Indian National Congress; Socialist Party; Communist Party of India; Revolutionary Socialist Party; Revolutionary Communist Party; Bolshevik Party of India; Krishikar Lok Party and Akhil Bharatiya Jana Sangh.

Name of the Party	States in which Recognized
4. Scheduled Castes Federation	Bombay, Madhya Pradesh, Punjab, Hyderabad, Delhi, Himachal Pradesh and Vindhya Pradesh.
5. Krishikar Lok Party . . . .	Madras and Rajasthan.
6. Revolutionary Socialist Party .	Travancore-Cochin.
7. Chhota Nagpur and Santhal Parganas Janta Party	Bihar.
8. Jharkhand Party . . . .	Bihar.
9. Peasants' and Workers' Party .	Bombay.
10. Tamilnad Toilers' Party . .	Madras.
11. Shiromani Akali Dal . . . .	Punjab.
12. Provincial Zamindars League .	Punjab.
13. People's Democratic Front .	Hyderabad.
14. Peasants' and Workers' Party .	Hyderabad.
15. Saurashtra Khedut Sangh . .	Saurashtra.
16. Travancore Tamilnad Congress	Travancore-Cochin.
17. Pursharthi Panchayat . . . .	Ajmer.
18. Kisan Mazdoor Mandal . . . .	Bhopal.
19. Gantanatrik Sangha . . . .	Tripura.

Source: *Report on the First General Election in India, 1951-52*, Vol. I (General), p. 93, Election Commission of India, New Delhi, 1955.

The states were reorganized after the Second General Elections and it was decided to recognize parties state-wise after taking into account the electoral support each party had in parliamentary as well as assembly elections. This led to the recognition of 16 political parties at the time of the Third General Elections. The names of the parties and the states in which they were recognized are set out in the table below :

Name of the Party	State and Union Territory in which Recognized
1. Indian National Congress . . .	All states and union territories
2. Praja Socialist Party . . . .	All states except Rajasthan, Punjab and Tripura.
3. Communist Party . . . .	All states except Madhya Pradesh, Mysore and Himachal Pradesh.
4. Jana Sangh . . . .	Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Uttar Pradesh and Delhi.
5. Socialist Party . . . .	Andhra Pradesh, Bihar, Madhya Pradesh, Rajasthan, Uttar Pradesh and Manipur.
6. Swatantra Party . . . .	Andhra Pradesh, Bihar, Gujarat, Madras, Uttar Pradesh and Himachal Pradesh.
7. Hindu Mahasabha . . . .	Madhya Pradesh, West Bengal and Delhi.
8. Rama Rajya Parishad . . . .	Madhya Pradesh and Rajasthan.
9. Republican Party . . . .	Maharashtra and Punjab.

Name of the Party	State and Union Territory in which Recognized
10. Jharkhand . . . . .	Bihar.
11. Muslim League . . . . .	Kerala.
12. Dravida Munnetra Kazhagam . . . . .	Madras.
13. Peasants' and Workers' Party . . . . .	Maharashtra
14. Ganatantra Parishad . . . . .	Orissa.
15. Akali Dal . . . . .	Punjab.
16. Forward Bloc . . . . .	West Bengal.

Source: *Report on Third General Elections in India, 1962*, Vol. I (General), Election Commission of India, 1965.

Before the Fourth General Elections, 8 parties, namely, the Indian National Congress, Swatantra Party, the Samyukta Socialist Party, the Communist Party of India, the Communist Party of India (Marxist), the Bharatiya Jana Sangh, the Praja Socialist Party and the Republican Party of India were declared as multi-state parties. Besides, 16 other parties were recognized by the Election Commission as state parties<sup>2</sup>. In November 1969, the Congress Party split into two groups, one led by S. Nijalingappa and the other by C. Subramaniam, each claiming to be the real and original Congress. The issue was finally resolved by the Election Commission who recognized the latter as the Indian National Congress, popularly known as Congress (R). The other group thereafter came to be called as Indian National Congress (O). The following is the list of national and state parties recognized by the Election Commission at the time of the Fifth Lok Sabha elections :

#### *National Parties*

1. Indian National Congress (Presided over by Jagjivan Ram).
2. Indian National Congress (Presided over by Nijalingappa).
3. Bharatiya Jana Sangh.
4. Swatantra Party.
5. Communist Party of India.
6. Communist Party of India (Marxist).
7. Praja Socialist Party.
8. Samyukta Socialist Party.

2. In 1968 the Election Commission issued an order that a party recognized in four or more states was to be known as a national party and a party recognized in less than four states was treated as a state party.

*State Parties*

Name of the Party	State/States in which recognized
1. All Party Hill Leaders' Conference	Assam, and Meghalaya.
2. Janata Party . . . . .	Bihar.
3. Vishal Haryana Party . . . . .	Haryana.
4. J&K National Conference . . . . .	Jammu & Kashmir.
5. Muslim League . . . . .	Kerala.
6. Kerala Congress . . . . .	Kerala.
7. Revolutionary Socialist Party . . . . .	Kerala and West Bengal.
8. Republican Party of India . . . . .	Maharashtra.
9. Peasants' & Workers' Party . . . . .	Maharashtra.
10. Janata Paksha . . . . .	Mysore.
11. Nagaland Nationalist Organization	Nagaland.
12. United Front of Nagaland . . . . .	Nagaland.
13. Jana Congress . . . . .	Orissa.
14. Dravida Munnetra Kazhagam . . . . .	Tamil Nadu and Pondicherry.
15. Bhartiya Kranti Dal . . . . .	Uttar Pradesh.
16. Bangla Congress . . . . .	West Bengal.
17. Forward Bloc . . . . .	West Bengal.
18. Shiromani Akali Dal . . . . .	Punjab.
19. Maharashtrawadi Gomantak . . . . .	Goa, Daman & Diu
20. United Goans (Sequeira Group) . . . . .	Goa, Daman & Diu.
21. People's Front . . . . .	Pondicherry.
22. Tripura Congress . . . . .	Tripura.

The results of the First General Elections led to a heart-searching particularly among the groups which claimed their objectives to be democratic socialism and the Praja Socialist Party was formed by a merger of Socialist Party, Kisan Mazdoor Praja Party and some other state groups like the Krishak Party of Andhra. It was strongly anti-Communist, but there was not much cohesion. Still the party formed the major opposition in Assam, Madhya Pradesh, Mysore, Saurashtra, Uttar Pradesh and Vindhya Pradesh. In 1954, as there was no party in majority in Kerala, the Praja Socialist Party formed the government with only 19 members, but it had the support of the Congress Party which was the largest single minority party. Owing to differences within the party, J. B. Kripalani resigned in 1954. Narendra Deva died in 1956 and Jayaprakash Narayan became increasingly attracted by Vinoba Bhave's *bhoodan* and *gramdan* movements. Thus, the Praja Socialist Party lost its top-ranking leaders and with them the prospect of its becoming an effective rival to Congress.

Of the all-India parties which were formed after independence, mention may be made of Ram Rajya Parishad founded by Swami Karpatri



in 1948. In 1952 elections it contested 62 seats to the Lok Sabha and 342 seats to the various state legislative assemblies. It obtained 3 seats in the Lok Sabha and 32 seats in the various state legislative assemblies. A more important organization was the Jana Sangh which was established in October 1951 by Shyama Prasad Mookerji, who was for a time member of the central Cabinet. Last but not the least was the Swatantra Party founded by C. Rajagopalachari, who was among the closest followers of Mahatma Gandhi, and was a member of the national government and the last Governor-General of India.

There were many state parties of which the more important were the Ganatantra Parishad in Orissa, the Jharkhand Party in Bihar, with a large following from the hill tribes, the Shiromani Akali Dal of Punjab, the Scheduled Castes Federation of Hyderabad, and the Dravida Munnetra Kazhagam (DMK) of Madras (Tamil Nadu), which was, perhaps, the most important of all. Originally, the DMK formed part of Dravida Kazhagam founded by E. V. Ramaswami Naicker, who was once a Congressman but later became opposed to it, and preached elimination of caste and the political separation of South India. It did not contest the general elections in 1952 but lent its support to communists and other anti-Congress candidates. The younger group separated from Dravida Kazhagam and formed the Dravida Munnetra Kazhagam, which contested the elections in 1957 and 1962, and in the latter won as many as 50 seats in Madras Assembly and became the main opposition there. Another important state party was the Ganatantra Parishad of Orissa with which the Congress formed a coalition government for a short period. The All Parties Hill Leaders Conference in Assam became a powerful mouth-piece of the hill tribes of that state, and won almost all the seats in the Assam Assembly reserved for them. There was also an attempt at the revival of the Muslim League, especially in Kerala.

A brief summary of the results of the five General Elections<sup>3</sup> of 1952, 1957, 1962, 1967 and 1971 will give an idea of the changing role played by the political parties, since the Constitution of Indian Republic came into force in 1950. The total number of voters for the General Elections to the House of the People held in 1952, 1957, 1962, 1967 and 1971, were 173, 194, 218, 249 and 274 millions respectively. The percentage of voters who voted in elections was 47.0, 47.8, 55.42, 61.33 and 55.3 respectively. The following table gives the number of seats won by different political parties in the Lok Sabha elections :

3. This volume was in the press when the Sixth Lok Sabha Elections were held in March, 1977. For details regarding the parties and the election results, refer to Appendix III.

Number of Seats Won by Different Parties in Lok Sabha

	1952		1957		1962		1967		1971
	No. of Seats.	%	No. of Seats.	%	No. of Seats.	%	No. of Seats.	%	No. of Seats.
Congress	364	74.5	371	75.1	361	73.1	283	54.4	352
PSP	..	..	19	3.8	12	2.4	13	2.5	2
Socialist	12	2.5	..	..	..	..	..	..	..
KMPP	9	1.8	..	..	..	..	..	..	..
SSP	..	..	..	..	..	..	..	..	..
CPI	16	3.3	27	5.5	29	5.9	23	4.4	23
CPI (M)	..	..	..	..	..	..	19	3.7	25
Jana Sangh.	3	0.6	4	0.8	14	2.9	35	6.7	22
Swatantra	..	..	..	..	18	3.6	44	8.5	8
Others	85	17.3	73	14.8	60	12.1	80	15.4	83
TOTAL :	489	100.00	494	100.00	494	100.00	520	100.00	518
									100.00

DMK got 23 seats in 1971, 25 seats in 1967 and 7 seats in 1962.

Percentage of votes for 1952 and 1957 General Elections have been worked out on the basis of number of votes polled in two-three member constituencies as one vote instead of two-three votes.

The first four General Elections were conducted simultaneously for the Lok Sabha and the state assemblies. But in 1971, the Lok Sabha was dissolved one year before the due date and in the fifth Lok Sabha elections held in 1971, Congress (R) won 352 seats while the Congress (O) secured only 16 seats. Only the assembly elections of West Bengal, Tamil Nadu and Orissa were held in 1971 simultaneously with the Lok Sabha elections. In West Bengal, CPI(M) emerged the stronger party with 114 seats out of 279. In Tamil Nadu, DMK secured 184 seats out of 234 and formed the government. In Orissa, Congress (R) secured only 51 seats and Swatantra 3 out of 140 seats.

After the Lok Sabha elections of 1971 many smaller parties either became extinct or merged with other parties while several new parties emerged to contest the assembly elections of 1972. The Telengana Praja Samiti and the Bangla Congress merged with the Congress(R) and the Janta Party with Jana Sangh. Of the national parties, the Praja Socialist Party and the Samyukt Socialist Party combined to form one party known as the Socialist Party of India. Thus, the number of the national parties was reduced from eight to seven. On the other hand, four new parties, namely, Utkal Congress in Orissa, Akhil Bhartiya Arya Sabha in Haryana, Shiromani Akali Dal (Gurnam Singh Group) in Punjab and Manipur People's Party in Manipur were accorded recognition on the basis of their poll performance in 1971. The state-wise results of the General Elections in 1972 are given in Appendix I.

All the major political parties<sup>4</sup> in India are highly centralized. Candidates both for Parliament and the state assemblies are determined by the central executive of each party.

It is not easy to distinguish the social and economic programmes of the various parties. Each party is inclined to put forward at the time of every General Election a lengthy manifesto covering all aspects of national activities and India's international relations.

## II. The Indian Press

In modern civilization, the press plays such an important part that it is difficult to imagine that its real influence began only in the 19th century. While the first daily newspaper was started in 1702 in UK and its counterpart in America in 1783, production and circulation of newspapers on a large scale had to wait for spread of

4. For the list of National and State Parties of India as on May 1, 1975, see Appendix II.

education, the development of railways and postal services and the fabrication of high-speed printing machinery during the 19th century.

As in many other directions, the evolution of the press in India was a pale reflection of its progress in the United Kingdom. In the latter, by the end of the 19th century, democracy was in force, universal literacy had been achieved and a high degree of economic prosperity attained, with the result that the newspaper became a household necessity. In India, on the other hand, an alien government, afraid of the development of public opinion, did not encourage the progress of the press. They were helped in their designs by mass illiteracy and poverty prevailing in the country.

The earliest beginnings of the Indian press consisted of feeble attempts of some Anglo-Indians. Besides, the *Bengal Gazette*, the first issue of which appeared on January 29, 1780 as a two-sheet paper, the *Calcutta Gazette* and the *Calcutta Chronicle* were all feeble ventures having their main circulation among the employees of the East India Company. There were similar papers in Madras and Bombay. In 1799 there were seven weeklies in Calcutta, two in Madras and two in Bombay, with a total circulation of 2,000. The first Indian attempts were two weeklies, one in English and another in Bengali, both inspired by Raja Rammohun Roy. By 1823, there were three weeklies in Bengali, three in Persian and one in Gujarati published by Indians. There was pre-censorship till 1818 when it was replaced by the Regulation of 1818. When the *Calcutta Journal* achieved a circulation of 1,000 copies in 1822, the British were so frightened that its enterprising editor, Buckingham, was deported in 1823. From these small beginnings the press in India began to grow slowly but steadily.

From the start, there was a sharp difference between the character of the Anglo-Indian and Indian newspapers. The former were mainly devoted to comments and criticisms of the actions of the bureaucracy and to the social gossip relating to the officials. The Indian newspapers on the other hand, concentrated on religious and social reforms. The second half of the 19th century witnessed the birth of many important newspapers, some of which have managed to survive the political vicissitudes and are among the most prominent papers of today. The *Times of India* was started by Robert Knight in 1861. He was also responsible for the founding of the *Statesman* in Calcutta in 1875. The *Pioneer* of Allahabad (1869), and the *Madras Mail* (1868) also deserve to be mentioned as Anglo-Indian ventures which have survived. Of the Indian ventures, the *Hindu* which was started as a weekly in 1878 and became a daily in 1869, and the *Amrit Bazar Patrika*, founded about the same time, have continued to play an ever increasing part in Indian public life. A large number of newspapers

published in the various Indian languages came into existence in the latter half of the 19th century. Most of them were associated with the Indian political leaders including B. G. Tilak and Aurobindo Ghose. These newspapers, mostly weeklies, became fearless critics of government and the Indian Press Act of 1910 was passed to control them by demanding security for good behaviour and forfeiting it if any paper exceeded the bounds of what the bureaucracy considered to be fair criticism. Between 1917 and 1919, 286 newspapers and printing presses were warned and from 705 security was demanded. Licences were refused for the establishment of 173 presses and 129 newspapers.

World War I caused a spurt in circulation of newspapers, and many newspapers were started of which the *New India* of Annie Besant, the *Justice*, the organ of the Justice Party, Madras, the *Independent* which was started by Motilal Nehru, and *Young India* of Mahatma Gandhi deserve notice.

The period of the national struggle for freedom from 1920 to 1947 was a period of trial for the Indian press. Though from the beginning the Anglo-Indian press was pro-government and the Indian press highly critical of it, the difference between the two became very wide at this time. It cannot be said that the Indian press blindly supported Non-cooperation Movements of Gandhiji in 1922-24 and 1931-34 and Quit India Movement of 1942. Some of them enthusiastically supported the Council entry programmes of Motilal Nehru, C. R. Das and others. It may be generally said that the Indian press as a whole gave powerful support to the freedom struggle, if not always in the leading columns, at least by fearless publication of news and reports of meetings and speeches. The Indian Press Emergency Powers Act, 1931, was passed to increase the powers possessed by the government under the Indian Press Act of 1910, and a large number of Indian newspapers were subjected to harassment, demand for security and other penalties. In spite of repression, the demand for newspapers was greatly stimulated by the national struggle and many newspapers in English and Indian languages were started. The *Foreword* and *Advance* of Calcutta, the *Hindustan Times* of New Delhi, the *Free Press Journal* and the *Bombay Chronicle* of Bombay, the *Indian Express* and the *Dinamani* of Madras and the *National Herald* of Lucknow were among these. It is worthy of note that many of the political leaders were closely connected with newspapers and this promoted intimate connection between the press and politics. At the same time, the independent newspapers flourished better than party newspapers, and when freedom came and the Anglo-Indian newspapers changed hands, and became independent Indian newspapers, the press was able to function as a powerful agency for the promotion of public

opinion.

The World War II further pushed up the demand for newspapers, while the shortage of newsprint tended to limit the rise in circulation. Newspapers were able to increase the rates both for sales and advertisements with the result that many of the Indian papers which had been struggling for survival for a generation were able to balance their budgets. By the end of the war, the newspaper had become an attractive field for investment for businessmen. The tendency towards concentration of newspapers in the form of multiple units became manifest, and there was a general apprehension that the freedom of press which was ensured by the fundamental rights of the Constitution might be imperilled by monopolistic control. The Government of India, therefore, appointed in September 1952 a high power Press Commission with Justice G. S. Rajadhyaksha as Chairman and C. P. Ramaswami Aiyar, Narendra Deva, Zakir Husain, V. K. R. V. Rao, P. H. Patwardhan, T. N. Singh, Jaipal Singh, J. Natarajan, A. R. Bhat and M. Chalapathi Rau as members.

The notification appointing the Commission read as follows<sup>5</sup> :

"The Press Commission shall enquire into the state of the Press in India, its present and future lines of development, and shall, in particular examine

- (i) the control, management, and ownership and financial structure of newspapers, large and small, the periodical press and news agencies and feature syndicates ;
- (ii) the working of monopolies and chains and their effect on the presentation of accurate news and fair views ;
- (iii) the effect of holding companies, the distribution of advertisements and such other forms of external influence as may have a bearing on the development of healthy journalism ;
- (iv) the method of recruitment, training, scales of remuneration, benefits and other conditions of employment of working journalists, settlement of disputes affecting them and factors which influence the establishment and maintenance of high professional standards ;
- (v) the adequacy of newsprint supplies and their distribution among all classes of newspapers and the possibilities of promoting indigenous manufacture of (a) newsprint and (b) printing and composing machinery ;
- (vi) machinery for (a) ensuring high standards of journalism and (b) liaison between Government and the Press ; the functioning of Press Advisory Committees and organiza-

tions of editors and working journalists, etc. ;

- (vii) freedom of the Press and repeal or amendment of laws not in consonance with it ; and to make recommendations thereon."

The Commission submitted a comprehensive report relating to all aspects of the press. Except on three legal points, the report of the Commission was unanimous. The fact that the report consists of 538 pages, of which the last chapter entitled 'Summary of Conclusions and Recommendations' runs into 84 pages shows its thoroughness and comprehensiveness.

The Commission found that there were no reliable statistics of newspapers and periodicals and the information in possession of the state and central governments was grossly inaccurate. They recommended, therefore, that the newspaper industry should be brought within the purview of the central government in terms of the Industrial Development Regulation Act, 1951, and a central authority should be responsible for the collection of statistics. This recommendation was accepted by the Government of India and a Central Registrar of Newspapers was appointed and he has been publishing an annual report which is submitted to Parliament. The central rules framed under the Press Act make it obligatory on the publishers of newspapers to submit annual statements to the Press Registrar on or before the last day of February every year, but even now all publishers do not submit such statements.

Regarding the business aspect of the Indian press, the report says : "The industry as a whole has made an estimated profit of about six lakhs of rupees with a capital investment of about seven crores or less than 1 per cent per annum. This does not mean that the profit earning capacity of this industry is uniformly poor. Many of the concerns earn profit of over 10 per cent on the capital investment."

As in other industries, the smaller papers are not able to face competition with their bigger rivals. This is particularly harmful when it is remembered that newspaper is not a mere business but an indispensable medium for the expression of public opinion. The report says : "Newspapers serve as media for the free exchange of information and of ideas. The proper functioning of democracy requires that every individual should have equal opportunity, in so far as this can be achieved, to put forward his opinions. Measures should, therefore, be adopted to reduce the differences due to economic advantages or other causes and to enable new-comers to start with a fair chance of achieving success." To fix a minimum price per page of a particular size, was considered to be the most effective measure to ensure it. The Government of India have been contemplating the introduction of

legislation enforcing a price-page schedule, but the matter is so complicated that the measure has had to be delayed. After exhaustive examination of the place of advertisement in a newspaper, the Commission came to the conclusion that 40 per cent of the space should be considered the upper limit. They also recommended to the Indian and Eastern Newspaper Society and the Indian Language Newspapers Association the adoption of a strict code of advertisement which all members should be compelled to follow and which would be binding on the Association, advertising agencies and advertisers. They also suggested that advertisements of drugs and medicines and those lacking in decency and morality should be strictly controlled and, wherever necessary, prohibited.

The Commission was strongly against the government control of news agencies, but was not against indirect forms of assistance, such as subscribing for news services. The Commission was of the opinion that, in a democratic set-up, there was no necessity for machinery like the Press Advisory Committee for advising government on the administration of the press laws or Press Consultative Committee to regulate relationship between the press and the government. They recommended instead the setting up by statute of an All India Press Council 'to safeguard the freedom of the Press, to help it to maintain its independence, to ensure that it maintained high standards of public taste, to encourage the growth of sense of responsibility and public service among journalists, to improve the methods of recruitment, education and training for the profession by the creation of a Press Institute or other suitable agencies, and for other purposes including review of the ownership structure and its impact on the purpose of the Press'. It was recommended that it should consist of a Chairman who should be or should have been a judge of the Supreme Court or a High Court and 25 other members out of whom not less than half should be working journalists and the rest chosen from newspaper proprietors, universities, literary bodies, etc. Only one central Council should function until uniform standards have been set up. Thereafter, if necessary, regional or state branches may be constituted. The expenditure on the Council and its ancillaries should be met from a fund constituted by a levy of a cess of Rs. 10 per ton on the consumption of newspapers. One of the prime duties and responsibilities of the Press Council should be the formulation of a code of ethics<sup>6</sup>

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6. It is worthwhile to point out that the Council's decision to build up a code in course of time through its own precedents in the process of dealing with specific complaints conforms to the intention of Parliament which enacted the Press Council Act, 1965. From the language of the relevant clause, the deduction is inescapable that Parliament did not expect the Council to "frame" a code of conduct for newspapers and journalists straightaway. According to Section 12(2) (b) of the Act the Council has "to build up" a code of conduct. The



based on the following principles<sup>7</sup> :

- “(1) As the Press is a primary instrument in the creation of public opinion, journalists should regard their calling as a trust and be ready and willing to serve and guard the public interest.
- (2) In the discharge of their duties, journalists shall attach due value to fundamental human and social rights and shall hold good faith and fair play in news, reports and comments as essential professional obligations.
- (3) Freedom in the honest collection and publication of news and facts and the rights of fair comment and criticism are principles which every journalist should always defend.
- (4) Journalists shall observe due restraint in reports and comments which are likely to aggravate tensions likely to lead to violence.
- (5) Journalists shall endeavour to ensure that information disseminated is factually accurate. No fact shall be distorted and no essential fact shall be suppressed. No information known to be false or not believed to be true shall be published.
- (6) Responsibility shall be assumed for all information and comments published. If responsibility is disclaimed, this shall be explicitly stated beforehand.
- (7) Unconfirmed news shall be identified and treated as such.
- (8) Confidence shall always be respected and professional secrecy preserved, but it shall not be regarded as breach of the code if the source of information is disclosed in matters coming up before the Press Council, or courts of law.
- (9) Journalists shall not allow personal interests to influence professional conduct.
- (10) Any report found to be inaccurate and any comment based on inaccurate reports shall be voluntarily rectified. It shall be obligatory to give fair publicity to a correction or contradiction when a report published is false or inaccurate in material particulars.
- (11) All persons engaged in the gathering, transmission and dissemination of news and in commenting thereon shall

significant words in this provision are “to build up”, not “frame”, indicating that the code must gradually grow out of the decisions of the Council. In adopting this language, Parliament had evidently in mind the relevant recommendation of the Press Commission that the Press Council, when set up, should “build up a code” by “censuring objectionable type of journalistic conduct, and by all other possible means.” *Press Council of India, Second Annual Report, 1967*, p. 63, New Delhi.

7. *Report of the Press Commission, Part I*, pp. 355-56, Delhi, 1954.

seek to maintain full public confidence in the integrity and dignity of their profession. They shall assign and accept only such tasks as are compatible with this integrity and dignity ; and they shall guard against exploitation of their status.

- (12) There is nothing so unworthy as the acceptance or demand of a bribe or inducement for the exercise by a journalist of his power to give or deny publicity to news or comment.
- (13) The carrying on of personal controversies in the Press, where no public issue is involved, is unjournalistic and derogatory to the dignity of the profession.
- (14) It is unprofessional to give currency in the press to rumours or gossip affecting the private life of individuals. Even verifiable news affecting individuals shall not be published unless public interests demand its publication.
- (15) Calumny and unfounded accusations are serious professional offences.
- (16) Plagiarism is also a serious professional offence.
- (17) In obtaining news or pictures, reporters and press photographers shall do nothing that will cause pain or humiliation to innocent, bereaved or otherwise distressed persons."

The report contained many useful recommendations regarding the training and emoluments of journalists, the reorganization of the newspaper agencies and other matters calculated to improve the conditions of newspapers and provide a healthy climate for their future expansion. Finally, the Commission examined the legislation governing newspapers and made recommendations regarding amendments to the Penal Code, the Law of Contempt and the Law of Libel. The Government of India have accepted in principle most of the recommendations.

As the balance of payments was heavily against India, particularly after the inauguration of planning, the import of newsprint has had to be strictly controlled. This checked to some extent the growth of newspapers, but still there has been considerable expansion. The Press Commission estimated that there were nearly 7,000 newspapers of all kinds on January 18, 1953. According to the Annual Report of the Registrar of Newspapers for 1963, the total number of newspapers on January 1, 1963, was 9,211. They consisted of 481 dailies, 2,213 weeklies, 875 fortnightlies, 3,664 monthlies, the rest being quarterlies, annuals and other periodicals.

In 1974 the total number of newspapers stood at 12,185 out of which 822 were dailies, 68 tri/bi-weeklies, 3,666 weeklies and 7,629 other periodicals. The state-wise distribution of these newspapers is as follows :

## Statewise Distribution of Newspapers, 1974.

State/Union Territory	Dailies	Tri/Bi-weeklies	Weeklies	Others	Total
1	2	3	4	5	6
Andhra Pradesh	32	2	252	457	743
Assam	6	2	24	43	75
Bihar	13	2	126	133	274
Gujarat	31	2	131	366	530
Haryana	5	2	77	130	214
Himachal Pradesh	1	..	19	42	62
Jammu and Kashmir	18	..	102	25	145
Karnataka	68	2	163	312	545
Kerala	75	..	85	466	626
Maharashtra	122	10	422	1,196	1,750
Madhya Pradesh	78	9	282	171	540
Manipur	6	..	2	20	28
Meghalaya	1	2	13	11	27
Nagaland	..	..	2	1	3
Orissa	7	..	22	122	151
Punjab	33	1	151	270	455
Rajasthan	38	4	334	322	698
Tamil Nadu	66	2	108	660	836
Tripura	5	2	19	2	28
Uttar Pradesh	135	17	822	655	1,629
West Bengal	30	6	231	907	1,174
Andaman and Nicobar	1	..	1	2	4
Chandigarh	6	..	21	80	107
Dadra and Nagar Haveli	..	..	1	..	1
Delhi	34	2	241	1,175	1,452
Goa, Daman and Diu	7	..	6	17	30
Mizoram	2	..	4	2	8
Pondicherry	2	1	5	42	50
Total	822	68	3,655	7,629	12,185

Source : *India, A Reference Annual, 1976*, p. 123, New Delhi, 1976.

The linguistic distribution of newspapers is as follows :

Language	Dailies	Tri/Bi-weeklies	Weeklies	Others	Total
English	83	6	291	2,073	2,453
Hindi	254	28	1,524	1,394	3,200
Assamese	3	1	8	20	32
Bengali	17	7	177	538	739
Gujarati	33	3	132	401	569
Kannada	52	2	112	165	331
Kashmiri	..	..	1	..	1
Malayalam	71	..	73	321	465
Marathi	79	8	231	399	717
Oriya	6	..	16	106	128
Punjabi	17	..	100	151	268

Language	Dailies	Tri/Bi-weeklies	Weeklies	Others	Total
Sanskrit . . . . .	1	..	2	19	22
Sindhi . . . . .	5	..	18	36	59
Tamil . . . . .	60	1	81	385	527
Telugu . . . . .	16	..	119	290	425
Urdu . . . . .	89	6	458	362	915
Bilingual . . . . .	23	5	253	708	989
Multilingual . . . . .	5	1	44	174	224
Others . . . . .	8	..	26	87	121
Total . . . . .	822	68	3,666	7,629	12,185

Source : *India, A Reference Annual, 1976*, p. 124, New Delhi, 1976.

There has been a steady increase in the circulation of newspapers. During the years 1959 to 1962 the circulation of English newspapers had increased by 32 per cent., of Hindi 22 per cent, Bengali 34 per cent, Gujarati 29 per cent, Malayalam 46 per cent, Marathi 39 per cent, Tamil 46 per cent and Telugu 64 per cent. In 1972 the total circulation number was 320.37 lakhs. In 1973 this number reached 352.70 lakhs. The data available for 1974 shows that the newspapers had a total circulation of 330.92 lakh copies. Newspapers published in English, Hindi, Tamil, Malayalam, Marathi, Gujarati, Bengali, Telugu and Kannada commanded circulation exceeding 10 lakh copies each. The language-wise and periodicity-wise analysis of the total circulation in 1974 is as follows :

Language-wise and Periodicity-wise Circulation, 1974.

(in thousands)

Language	Dailies	Tri-/Bi-weeklies	Weeklies	Other periodicals	Total
English . . . . .	22,52	24	15,47	39,41	77,64
Hindi . . . . .	17,23	36	24,10	32,39	74,08
Assamese . . . . .	34	..	62	10	1,06
Bengali . . . . .	5,38	5	3,93	7,34	16,70
Gujarati . . . . .	7,57	31	4,68	8,07	20,63
Kannada . . . . .	3,29	2	3,46	3,87	10,64
Kashmiri . . . . .	..	..	..	..	..
Malayalam . . . . .	10,84	..	7,55	7,63	26,02
Marathi . . . . .	8,86	14	3,81	7,96	20,77
Oriya . . . . .	90	..	9	80	1,79
Punjabi . . . . .	66	..	2,44	1,85	4,95
Sanskrit . . . . .	2	..	3	3	8
Sindhi . . . . .	6	..	46	26	78
Tamil . . . . .	8,00	..	14,47	12,98	35,45
Telugu . . . . .	2,17	..	3,79	5,67	11,63
Urdu . . . . .	3,98	9	6,40	5,91	16,38
Bilingual . . . . .	31	7	3,12	5,94	9,44
Multilingual . . . . .	1	..	36	1,44	1,81
Others . . . . .	8	..	24	75	1,07
Total . . . . .	92,22	1,28	95,02	1,42,40	3,30,92

Source : *India, A Reference Annual, 1976*, p. 125, New Delhi, 1976.

In the Press Commission Report, the dearth of technical and scientific periodicals, was noted and it was observed "when science, technology and medicine are advancing rapidly, the inter-change of the latest information on research and application is got not so much by books as through periodicals".

Though there has been a rapid growth of newspapers of all kinds since independence, and this is likely to be accelerated when the programme of universal primary education is completed in a few years, compared to advanced countries, India has in relation to her population a very poor circulation of newspapers. According to a UNESCO survey made in 1956, UK had 573, Sweden 462, and Japan 400 copies per thousand population, while India had only 6 copies.

Regarding the quality of matter and get up, the best Indian newspapers and periodicals can compare favourably with their counterparts in other countries, but a comparatively large number are poor in both respects. Regarding the content of newspapers, the Press Commission Report points out that 34 per cent of the space of English papers and 27 per cent of Indian language papers was found to be devoted to international affairs. This is in sharp contrast with the contents of foreign newspapers. In this connection the following explanation is interesting : "Some of them were associated with English papers but others were not. Various factors have been mentioned as responsible for this readiness to deal with international affairs rather than with national affairs. One of them is that the supply of reference material is much more ample on world affairs than on Indian affairs ; another is that commenting on the former is less ticklish and there is less risk of offending readers by taking a particular line, and so on. Whatever the reasons, we would prefer Indian language newspapers to observe a fairer balance in the selection of subjects for comment instead of following too closely the pattern of the English papers."

The freedom of the Indian press is secured both by the fundamental rights of the Constitution and the system of responsible government. It is no exaggeration to say that the Indian press is at least as free as the press in any other democratic country. Except a few papers, mostly periodicals which are owned by political parties and organizations, the Indian press is owned by independent proprietors, individuals and companies, whose policies are not amenable to government influence. The concentration of ownership and the pressure from advertising concerns are perhaps greater dangers to that freedom.

### III. Public Opinion in India

Besides the organized political parties and the press, there are

other organizations of non-political character which help to mould public opinion. Of these, the most important is the *Sarvodaya* movement headed by Vinoba Bhave. Just before his assassination, it was the desire of Mahatma Gandhi that the Indian National Congress should cease to be a political party and convert itself into a non-political social organisation for propagating Gandhian ideals. The leaders of the Congress did not accept this idea as they felt that without the leadership of the Congress the infant Indian democracy will be lost in a confused struggle of innumerable political groups without discipline, cohesion or popular support.

At the same time, there were a large number of workers who wanted to implement Gandhiji's idea, and they gathered together under the leadership of Vinoba Bhave, who was a whole-hearted disciple of Mahatma Gandhi and who was content to be a more or less unknown worker so long as Gandhiji lived. It may, however, be recalled that when Gandhiji started the individual *satyagraha* in 1940, he selected Vinoba Bhave as the perfect *satyagrahi* and the latter was the first to court imprisonment. Vinoba Bhave's austerity and devotion were universally recognized. The *Sarvodaya* movement was not allowed to crystalize into a rigid organization with hierarchies of governing bodies and officials. It consisted of voluntary groups which came together in periodic all-India conferences. Vinoba Bhave struck out new paths for propagation of Gandhian ideals. He discarded the railway and the motor car and began to travel from one end of India to another on foot. He was accompanied by a few devoted followers, but in every area the party was surrounded by large numbers of local people who accompanied him for short distances. His meetings and prayers were attended by thousands everywhere. In an effort to solve the problem of poverty by strictly non-violent means, Vinoba Bhave put forward the idea of *bhoodan* which was later replaced by the fuller idea of *gramdan*. He appealed to people who owned lands to donate 1/6th of their landed property to be given away to landless labourers. It was calculated that over 16 lakh hectares were donated in response to this appeal, but on account of various legal and other difficulties only 1/4th of it was actually distributed.

Finding that this form of land distribution was not likely to create any peaceful revolution in the life of the villagers, the proposal of *gramdan* was put forward. The idea was that all the land-holders in the village should renounce their proprietary rights, and the total agricultural land of the village should be cultivated either jointly or individually, the entire produce accruing to the community as a whole being distributed equitably among all the people according to needs. Some thousands of villages were formally donated in response to this

appeal, but actual reorganization on the basis of the principle of voluntary communal ownership and cultivation has been found to be very difficult. In many states, special legislation was passed to help this movement. Many books and pamphlets have been written in all Indian languages as well as in English to explain and propagate Vinoba's teachings.

Another organization of importance was the Bharat Sewak Samaj. Its object was to mobilize on a non-party basis voluntary cooperation of the people in implementing the Five-Year Plans. Branches of the Samaj have been established in all states and one of the chief methods has been the organization of camps of students, women and other workers in villages to promote rural development.

The Indian Council of World Affairs was founded by Tej Bahadur Sapru to promote the study of international problems. It has its headquarters at Delhi where it owns the Sapru House which has become one of the centres of social and cultural activities in New Delhi. It has branches in many states and it publishes the *Indian Quarterly* containing scholarly articles on Indian and international problems. The Council has also published many books by distinguished authors dealing with these problems.

The Institute of Public Administration is an autonomous institution for the study and promotion of correct ideals and proper methods and procedures relating to administration. It has its own premises in New Delhi where it maintains a good library and conducts classes and seminars on problems connected with public administration.

The India International Centre is another notable institution established at New Delhi for the purpose of promoting international exchange of ideas by arranging lectures by and receptions to distinguished foreigners visiting India, with facilities for residential accommodation for them. C. D. Deshmukh, a former Finance Minister of the Government of India, has been the chief promoter of this institution.

In all countries public opinion is powerfully affected by striking personalities. The Indian nationalist movement has been fortunate in producing a galaxy of such persons. During the pre-Gandhi period, every part of India produced eminent persons of more or less equal stature. Dadabhai Naoroji, M. G. Ranade, Pherozeshah Mehta, G. K. Gokhale and B. G. Tilak from Bombay, Surendranath Banerjea, Bipin-chandra Pal, Aurobindo Ghose and Rabindranath Tagore from Bengal, G. Subramania Iyer, S. Subramania Iyer, Sankaran Nair, V. Krishnaswamy Iyer and Annie Besant from Madras, Tej Bahadur Sapru and Madan Mohan Malaviya from UP, and Lajpat Rai from Punjab were among the tallest of them.

In the Gandhian era between 1920-47, there was a remarkable emergence of leadership at various levels. Gandhi was a unique and matchless leader. Gathered around him were the remarkable personalities of Motilal Nehru, C. R. Das, Jawaharlal Nehru, Subhas Chandra Bose, M. A. Ansari, Abul Kalam Azad, Vallabhbhai Patel, Rajendra Prasad, C. Rajagopalachari, S. Satyamurthy and S. Srinivasa Iyengar. In the next rank were men like Govind Ballabh Pant of Uttar Pradesh, B. G. Kher of Bombay, Shrikrishna Sinha of Bihar, Ravi Shankar Shukla of Madhya Pradesh and Pattabhi Sitaramayya of Andhra. There was also a strong group of younger leaders of whom J. B. Kripalani, Jayaprakash Narayan and Narendra Deva seceded from the Congress to establish a more radical party.

One of the most important features of the struggle for freedom under Mahatma Gandhi was the renaissance of Indian languages. Public meetings and discussions before 1920 were mostly in English and, therefore, confined to English-knowing intelligentsia. But Mahatma Gandhi insisted that all propaganda should be directed towards the masses for which it was necessary to speak in the regional languages. In all the linguistic areas many eloquent speakers emerged who made the regional languages powerful vehicles of propaganda. The audience at public meetings swelled into thousands and sometimes lakhs, and this made it necessary to hold such meetings in the open air. With the appearance of loudspeakers, mass open air meetings became effective instrument of public opinion augmenting the influence of the growing press, as even the illiterate peasants and workers began to attend the public meetings in large numbers. The importance of these meetings increased in free India, especially during the General Elections.

There is no doubt that the advent of freedom has greatly widened and intensified public life in India in all directions. This sudden expansion has also given rise to many new problems and difficulties. Nationalism which was the sole triumphant force during the struggle for freedom has now to contend with regionalism based on linguistic and other local loyalties. Communalism also has been raising its head in many places. The leaders of India are fully aware of these evils which, to some extent, may be inevitable in a period of rapid transition. The Government of India also have been engaged, through various committees and investigations, in fighting corruption and promoting efficiency in administration.



## APPENDIX I

## State-wise General Elections, 1972

States	Total seats	Congress	CPI	Jana Sangh	Cong- ress (O)	Socia- list Party	CPI (M)	Swatantra Party	Other Parties & Inde- pendents	Total
Andhra Pradesh	287	219	7	..	..	..	1	2	58	287
Assam	114	95	3	..	..	4	..	1	11	114
Bihar	318	167	35	25	30	33	..	1	27	318
Gujarat	168	140	1	3	16	..	..	..	8	168
Karnataka	81	52	..	2	12	..	..	..	15	81
Kerala	68	53	..	5	..	..	1	..	9	68
Jammu & Kashmir	75	58	..	3	..	..	..	..	14	75
Madhya Pradesh	296	220	3	48	..	7	..	..	18	296
Maharashtra	270	222	2	5	..	3	1	..	37	270
Mysore (Karnataka)	216	165	3	..	24	3	..	..	21	216
Punjab	104	66	10	..	..	..	1	..	27	104
Rajasthan	184	145	4	8	1	4	..	11	11	184
West Bengal	280	216	35	..	2	..	14	..	13	280
Delhi	56	44	3	5	2	..	..	..	2	56
Goa, Daman & Diu	30	1	..	..	..	..	..	..	29	30
Manipur	60	17	5	..	1	3	..	..	34	60
Tripura	60	41	1	..	..	..	16	..	2	60
Meghalaya	60	9	..	..	..	..	..	..	51	60
TOTAL :	2,727	1,930	112	104	88	57	34	15	387	2,727

## APPENDIX II

List of Recognised National and State Parties of India  
as on May 1, 1975.*National Parties*

1. Indian National Congress.
2. Indian National Congress (Organization).
3. Bhartiya Jana Sangh.
4. Communist Party of India.
5. Socialist Party.
6. Communist Party of India (Marxist).
7. Bhartiya Lok Dal.\*

*State Parties*

1. Vishal Haryana Party.
2. Akhil Bhartiya Arya Sabha.
3. Muslim League.
4. Kerala Congress.
5. Revolutionary Socialist Party.
6. Peasants' & Workers' Party.
7. Manipur People's Party.
8. Manipur Hills Plain Union.
9. All-Party Hill Leaders' Conference.
10. Nagaland Nationalist Organization.
11. United Democratic Front.
12. Shiromani Akali Dal.
13. Dravida Munnetra Kazhagam.
14. Maharashtrawadi Gomantak.
15. United Goans (Sequeira Group).
16. Anna Dravida Munnetra Kazhagam.
17. Kuki National Assembly.
18. United Goans (Naik Group).

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Bhartiya Lok Dal formed as a result of the amalgamation of the Swatantra Party, the Bhartiya Kranti Dal and the Utkal Congress was declared as a National Party in the Govt. of India Gazette of Jan. 31, 1975.

## APPENDIX III

## Sixth Lok Sabha Elections, 1977

Sixth Lok Sabha Elections were held in March, 1977. The four National Parties viz. Indian National Congress (O), Bhartiya Lok Dal, Bhartiya Jana Sangh and Socialist Party of India combined to contest the elections under the name of Janata Party having a common symbol, flag and manifesto. Due to certain technical difficulties, however, the Election Commission was not able to recognize the Janata Party as such for election purposes and, therefore, these parties had to retain the name and symbol of the Bhartiya Lok Dal. Morarji Desai, the present Prime Minister, was then the Chairman of the Janata Party.

Immediately after the announcement of the elections, Jagjivan Ram formed another party known as Congress for Democracy which also contested the elections under the symbol and flag of the Janata Party but with a separate manifesto. All these five parties have since merged to form one united party known as the Janata Party with Chandra Shekhar as the President.

The results of the Sixth Lok Sabha Elections are given below :

Name of the Party	Total seats won
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*National Parties*

1. Indian National Congress	153
2. Bhartiya Lok Dal*	294
3. Communist Party of India	7
4. Communist Party of India (M)	22
5. Indian National Congress (O)	3

*State Parties*

6. Jammu & Kashmir National Conference	2
7. Kerala Congress	2
8. Muslim League	2
9. Revolutionary Socialist Party	1

10. Peasants' & Workers' Party	5
11. United Democratic Front	1
12. Shrimoni Akali Dal	9
13. All India Anna Dravida Munnetra Kazhagam	19
14. Revolutionary Socialist Party	3
15. Maharashtrawadi Gomantak	1

*Regional Parties*

1. All India Jharkhand Party	1
2. Republication Party of India (Khoberagade)	2
Independents	12
Total Seats	540**

\*It comprised four national parties—Indian National Congress (O), Bhartiya Lok Dal, Bhartiya Jana Sangh and Socialist Party of India.

\*\*Poll for two seats, one in Mandi (Himachal Pradesh) and one in Laddakh (Jammu and Kashmir) is yet to be taken.

## CHAPTER XII

# INDIA AND THE WORLD

### A. India's International Relations

India's international relations ever since independence, while guided by a policy of non-alignment, were marked by an active involvement in world affairs "in the furtherance of world peace and freedom". This concern for the widening of the area of peace, freedom and cooperation was, as stated by Prime Minister Jawaharlal Nehru, "inherent in the circumstances of India, inherent in the past thinking of India, inherent in the whole mental outlook of India, inherent in the conditioning of the Indian mind during our struggle for freedom, and inherent in the circumstances of the world today". The Indian National Congress considered its own struggle for the independence of India as "a part of the general world struggle against imperialism and its manifestations", called for a world order based on international cooperation and goodwill and to this end demanded that "imperialism and the exploitation of one people by another must end". It expressed sympathy for the people of Ireland, Egypt, China and Turkey and "repeatedly condemned fascist aggression in Europe, Africa and the Far East as well as the betrayal of democracy by British imperialism in Czechoslovakia and Spain" and emphasized that "warfare cannot lead to peace and freedom and the choice before the world is uttermost degradation and destruction through warfare or the way of peace and non-violence on a basis of freedom for all people." The Gandhian era conditioned the outlook of independent India not to be overawed by the military might of a big power and to follow without fear the policy of non-alignment and an independent approach in foreign relations in the pursuit of peace, freedom and cooperation.

The adoption of the policy of non-alignment combined with an active interest and participation in world affairs was proclaimed by Prime Minister Nehru in his broadcast on September 7, 1946. He said : "We propose, as far as possible, to keep away from the power politics of groups, aligned against one another, which have led in the past to world wars and which may again lead to disasters on an even vaster scale." This, by no means, meant a neutral or negative approach to international affairs. Speaking before the United States

Congress in 1949, the Prime Minister emphasized: "Where freedom is menaced, or justice threatened or where aggression takes place, we cannot be and shall not be neutral. ...." A decade later, a representative of India declared before the United Nations General Assembly: "We are not a neutral country . . . we are not neutral in regard to peace. We are not neutral in regard to domination by imperialist or other countries. We are not neutral with regard to ethical values. We are not neutral with regard to the greatest economic and social problems that may arise. .... We would take part, we would participate, we would express our views. ...." Thus, "the policy of non-alignment itself is not a policy, it is only a part of a policy. ...." The foreign policy of India had objectives of a positive nature. As explained by Jawaharlal Nehru, these were "the pursuit of peace, not through alignment with any major group or Power but through an independent approach to each controversial or disputed issue, the liberation of subject peoples, the maintenance of freedom, both national and individual, the elimination of racial discrimination and the elimination of want, disease and ignorance, which afflict the greater part of the world's population."

The definition of these objectives of foreign policy indicated a scheme of priorities. The greatest threat to peace came from colonialism, racialism and economic disparity between the developed and the under-developed nations of the world. This was compounded by the fact that economically weak nations were also the nations which suffered or were still suffering from the domination of the economically advanced nations. In this context, the concept of a world divided into communist and anti-communist nations appeared to be unrealistic. The cold war and the east-west conflict tended to cloud the basic issues of colonialism and racialism and to ignore the dangers of economic inequality which, in fact, constituted a more potent threat to peace. Statesmanship, therefore, lay in moderating the "east-west" conflict and working for the enlargement of the area of peace, freedom and cooperation. India believed that "a deliberate policy of friendship with other countries goes farther in gaining security than almost anything else."

National security meant more than mere physical security as economic progress and political independence were equally relevant factors. Jawaharlal Nehru used to say that there could be no national defence without a national industry and a self-reliant economy. India's economic needs dictated a policy of friendship with all countries. India kept open the door for aid from whatever sources it was available but without political strings. There was a determination that "India would rather delay development, industrial or otherwise, than to

submit to economic domination of any country." While preferring multilateral aid, bilateral aid agreements were concluded with western countries as well as with the socialist countries to become "a kind of an area of agreement between the opposing ideological forces" and promote economic cooperation and economic co-existence.

Preservation of political independence and sovereignty called for an independent foreign policy based on an active, but in no way subordinate role in international relations. Prime Minister Nehru, in a broadcast on September 7, 1946, said "We shall take full part in international conferences as a free nation with our own policy and not merely as a satellite of another nation". The assertion of independence was motivated by the experience of western dominance from which India had emerged only recently. As one of the newly emancipated countries of Asia occupying a pivotal position, India actively participated in world affairs to make known that the voice of emergent Asia could no longer be ignored by the international community. This initiative was taken not with the idea of acquiring leadership but in order to bring together rival powers and through reconciliation and accommodation to enlarge the area of peace. A policy of non-alignment, it was felt, would enable peaceful and friendly efforts to avert a crisis. It was this positive attempt to work for an area of agreement between the contending parties rather than the negative aspect of keeping aloof from military blocs which became the core of India's foreign policy and provided the basis for her international relations.

### **Foreign Policy Operations**

(i) **1946-55** : Occupying a pivotal position on the continent of Asia, the primary concern of India's foreign policy after independence was to develop contacts and friendly relations with her immediate neighbours and to end the isolation into which India had been driven during the British rule. Friendship treaties were signed with Bhutan in 1949 and Nepal in 1950, the two northern neighbours with which India had close historical, cultural and religious ties. A similar pattern of promoting friendship through treaties was followed with regard to other neighbours in the West and the East. Treaties of friendship were concluded with Afghanistan and Iran in 1950, with Turkey in 1951, with Syria and Iraq in 1952, with Muscat in 1953 and with Egypt in 1955. These generally provided for perpetual peace and friendship with countries concerned. During the early years of Burma's independence, India helped her to secure economic and military assistance to overcome her internal difficulties.

The Indonesian freedom struggle provided an excellent opportunity to India to vindicate one of the fundamental principles of her foreign policy—anti-colonialism and Asian solidarity. In concert with other nations of Asia, India took up the cause of freedom of Indonesia from Dutch colonial rule and her efforts at the UN and other appropriate forums helped Indonesia to emerge as an independent state in December 1949. Treaties of friendship were signed with Indonesia in March 1951, with Burma in July 1951 and with Philippines in July 1952. In the south, an agreement was concluded with Sri Lanka in 1954 to work out mutually satisfactory arrangements for solving the problem of Indian settled there.

The major problem facing India after independence was the determination of her relations with China, her big and powerful neighbour in the north, and Pakistan, her immediate neighbour in the West and the East. India hoped that the fact of geography, common history, culture and language would enable her to establish friendly relations with Pakistan and to resolve, through bilateral negotiations, the issues left as a legacy by partition. The invasion by Pakistan of Kashmir, which had legally acceded to India, however, complicated the situation and greatly strained relations with that country. India referred the question to the United Nations but her expectations of a just settlement were not fulfilled. Though no agreement could be reached regarding Kashmir, an understanding was reached on a number of other issues through bilateral discussions. An agreement was signed in 1948 on the use of canal waters in the Punjab. A meeting of the Prime Ministers of the two countries in 1949, and the joint statement issued following their talks, eased the tension resulting from the influx of the minority community from the then East Pakistan. Deep distrust and suspicion, however, continued to determine the policy of Pakistan. The joining of foreign-sponsored alliance system by Pakistan, *i.e.*, SEATO in 1954 and the Baghdad Pact in 1955, gave her foreign policy a direction different from that of India and brought the cold war near the door steps of India. This policy was completely at variance with the policy of non-alignment followed by India and introduced an element of tension in the relations between the two countries.

The Communist victory in China (Oct. 1949) was welcomed in India as the rebirth of a strong China after a protracted civil war and of marked significance as part of the general decline of colonial and western dominance throughout Asia. One of the earliest Asian countries to recognize the new government in China and also to establish diplomatic relations, India advocated the recognition of the reality of the emergence of a new China and strongly supported



the cause of her admission to the United Nations as the true representative of Chinese people. She considered friendly and cooperative relations with China essential for peace in Asia and worked for developing cooperative relations with that country. The signing of an agreement with China in April 1954, whereby India accepted Tibet as a region of China and renounced certain extra-territorial rights and privileges, indicated India's understanding and appreciation of the change that had occurred since the pre-independence days. The preamble to the agreement spelt out the principles of peaceful co-existence which India believed should serve as a basis for international cooperation. These principles which came to be known as *Panchsheel* were : (i) mutual respect for each other's territorial integrity and sovereignty, (ii) mutual non-aggression, (iii) mutual non-interference in each other's internal affairs, (iv) equality and mutual benefit, and (v) peaceful co-existence. Prime Minister Jawaharlal Nehru, laying stress on the adopting of these principles as of fundamental importance in international relations, said : "I have no doubt that these principles of international behaviour, if accepted and acted upon by all countries of the world, will go a long way to put an end to the fears and apprehensions which cast dark shadows over the world."

Although the Korean crisis continued till 1953, when an armistice on Korea was finally concluded, India played an important role as Chairman of the Neutral Nations' Repatriation Commission and provided the custodian forces to supervise the exchange of persons of war. This responsibility thrust on India was a recognition of her independence in foreign policy and its successful and impartial implementation brought her world-wide acclaim. It was in the context of the Korean crisis that India began to follow more vigorously her independent foreign policy of keeping away from power-blocs and of developing a peace area. During the Korean crisis in 1950, without taking sides, she worked for bringing about a negotiated settlement.

During the crisis in Indo-China which India considered essentially a nationalist struggle against French colonialism and imperialism, her efforts were directed towards preventing the territory becoming an arena of cold war. In a six-point proposal made in April 1954, Prime Minister Nehru called for an immediate cease-fire, a negotiated settlement including an unequivocal commitment by France to the independence of Indo-China states and an international agreement on non-interference. The proposal was discussed with Ceylon, Burma, Indonesia and Pakistan all of whom accepted the general approach. Though India did not take part in the subsequent Geneva Conference on Indo-China, her attitude and contribution through diplomacy behind the scene greatly helped towards the signing of the Geneva Agree-

ment. The selection of India as the Chairman of the International Control Commission, provided for in the Agreement, marked the recognition of her impartial attitude to the problem and her keenness to help towards the maintenance of peace in the area.

The holding of the Bandung Conference in 1955, attended by 29 Asian and African countries, was an important landmark. It demonstrated the growing maturity of the Afro-Asian world and represented the high water-mark of India's prestige in Asia and in the world. Though attended by some "aligned" countries like Pakistan, Philippines, Iran, Iraq and China, the general consensus at the conference was in favour of non-alignment and an independent foreign policy. Some of the countries which were "undecided" later subscribed to the policy of non-alignment. The principles of co-existence were incorporated in the 10-point "Declaration of World Peace and Cooperation" adopted by the Conference. The years following the Bandung Conference not only saw the adherence to the principles of co-existence by many countries of Asia and Africa but also brought respectability to this concept as a factor in international relations.

Both the United States and the Soviet Union began to show a new respect for and understanding of the policy of peaceful co-existence and non-alignment. The Soviet Union, in the early years of independence of India, had looked upon India's policy as "only a mask to cover collaboration with Anglo-American imperialists." The United States Secretary of State had declared non-alignment as "immoral and short-sighted" policy. By the mid-fifties, however, both these countries realized that the policy of non-alignment was a useful factor operating in favour of peace. The Soviet leader, Khrushchev, in his report to the 20th Congress of the Communist Party of the Soviet Union, referred to independent India as having "joined the ranks of great powers". Later in his tour of South-East Asia, he said that "a neutral, active and independent policy of non-participation in military alliance makes a positive contribution to the cause of easing international tension and maintaining world peace." Similarly, the American attitude also underwent a change. President Eisenhower, in a statement in April 1956, said that the new nations of Asia were "proud of their independence and quick to resent any strike on their sovereignty. Some of them are concerned to avoid involvement with other nations, as we were for many years. Certainly we Americans should understand and respect these points of view."

India's non-aligned and independent approach was again evident during the Suez crisis and the revolt in Hungary in 1956. The Anglo-French-Israeli attack on Egypt created a great resentment. It was regarded as an attempt by the western powers to reassert their domi-

nance over West Asia and an attempt to solve the problems resulting from the nationalization of the Suez Canal through resort to gun-boat diplomacy. India directed her efforts towards lessening of tension between the contending parties and bringing about restoration of peace in the area. The contribution of a large number of troops by India to the United Nations Emergency Force demonstrated her desire to seek the restoration of peace and stability in West Asia.

As regards the Soviet intervention in Hungary, India's approach was that "any acceptance of intervention of this type, namely, foreign supervised elections, seems to us to set a bad precedent which might be utilized in future for intervention in other countries". India criticized "the recourse to force and armed intervention" as a check to "the progress towards greater freedom which we had welcomed". She, along with some other non-aligned countries, expressed distress at "intervention by the great powers against weaker countries" and hoped that the Soviet forces would be withdrawn speedily and the Hungarian people would be left free to decide their own future without external intervention from any quarter.

(ii) **1956-65** : In pursuance of her policy to settle unresolved problems with her neighbours through bilateral negotiations, India continued her efforts to stabilize relations with her immediate neighbours. So far as China was concerned, despite the 1954 agreement signed with that country, relations took a turn for the worse because of unsettled conditions and discontent in Tibet. Erroneous depiction of the historic and traditional boundary between India and Tibet in Chinese maps reflected China's reservations regarding India-China boundary. Differences regarding the boundary question came out in the open in 1959. The Dalai Lama fled to India and there were several border clashes following Chinese intrusions into Indian territory. At the invitation of Prime Minister Nehru, the Chinese Premier Chou En-Lai visited Delhi in April 1960 so that they could explore avenues which might lead to a peaceful settlement of the boundary problem. No agreement could be reached and the officials of the two governments, who were appointed to examine all the relevant documents in support of the respective position of the two countries submitted separate reports. Meanwhile, border clashes continued and China extended control over some areas of Indian territory and, in violation of the principle of non-aggression, launched a large-scale attack, in October 1962, on Indian defence posts in both the northern and eastern sectors and made deep advances into Indian territory. While China wanted to demonstrate that non-alignment was a farce and India was an ally of imperialism, India continued her adherence to that policy. She accepted the proposals made by the non-aligned Colombo Powers for a settlement but China

accepted them only with certain reservations. India offered to refer the matter to the International Court of Justice or to arbitration. There was, however no favourable response from China and she continued her control over Indian territory illegally occupied during the conflict.

Though India was opposed to Pakistan's joining military alliances (the Baghdad Pact and the SEATO), efforts were continued to seek a solution of unresolved problems with that country through negotiations. Agreement was reached regarding some of the minor boundary problems relating to the eastern region and the two countries also agreed about the procedure to be followed for further discussions in this regard. A transitional agreement regarding the allocation of waters of the river Indus, reached through the good offices of International Bank for Development and Reconstruction, was finally signed in 1960. In 1962 when China attacked India, the United States and Britain made efforts to bring about a settlement between India and Pakistan but differences over the Kashmir question prevented any solution. Pakistan's hostility towards India continued and in April 1965 fighting broke out between the two countries in the Rann of Kutch on the frontier between the Indian state of Gujarat and West Pakistan. India accepted the proposal that an agreement should be reached through negotiations, failing which the question should be referred to a tribunal whose decision would be binding. However, the attempted incursions by Pakistan in Kashmir resulted in the outbreak of war with that country in September 1965. The UN intervention brought about a cease-fire and, through the good-offices of the Soviet Union, India and Pakistan signed the Tashkent Declaration in January 1966. Under the Declaration, the two countries agreed to restore normalcy and peaceful relations and to work for good neighbourliness and settle their disputes through peaceful means. The Declaration vindicated India's policy of seeking to resolve problems and normalize relations through bilateral negotiations. It reflected India's belief that mutual trust, cooperation and friendship between India and Pakistan were the best guarantee for peace and prosperity on the Indian sub-continent.

While guided by the objective of normalizing her relations with neighbours through peaceful means, India continued her efforts towards the elimination of colonialism and racialism and the enlargement of the area of freedom. Within and outside the United Nations, she supported the cause of freedom of the former French-controlled African territories of Tunisia, Morocco and Algeria. She broke diplomatic ties with the Union of South Africa because of that country's apartheid policy and was among the first to denounce unilateral declaration of independence by the racist minority regime

in Rhodesia in 1965. Nearer home she persuaded France to agree to the peaceful transfer of French possessions in India. When Portugal refused to abandon control over her Indian possessions, India did not hesitate to use force to liberate. Goa, thus demonstrating her strong feelings about the necessity of ending colonialism in different parts of the world.

The same policy led India to play an effective and positive role in Congo which, soon after independence in 1960, was threatened by forces of disintegration. The newly independent state was faced with cold war rivalry and foreign intervention, return by back door of colonial powers and threat of secession fostered by foreign vested interests. India's efforts were mainly directed towards preventing the extension of the cold war rivalry and foreign intervention. She worked towards this end, through the United Nations, thus demonstrating her faith in that organization as an institution for the preservation of peace and the protection of territorial integrity and unity of its member states. India rallied to the call of the United Nations for military contribution to the United Nations force operating in the Congo and her military contingent played a major role in the effective action taken by the United Nations force to enable Congo to preserve her independence and integrity.

The validity of non-alignment, as the most appropriate policy for newly independent countries of Asia and Africa and its positive contribution towards easing international tension led more and more countries to subscribe to that policy. An event of major importance in this evolution was the conference of non-aligned nations held at Belgrade in September 1961. The importance of this conference lay in the fact that it was the first occasion when the non-aligned nations met in an international conference of their own. India's role in the conference was mainly devoted to steering and focussing discussions on the need for elimination of the threat of war. The declaration adopted by the conference emphasized the need for the co-existence of different social systems and it was largely at India's instance that a decision was taken to send a delegation to jointly appeal to the United States and the Soviet Union to stop resumption of nuclear tests.

The second conference of non-aligned nations held in Cairo in October 1964 had a global rather than continental or regional character. As against 25 participating countries and 3 observers at Belgrade, the Cairo Conference was attended by 47 participating countries and 10 observers representing four continents. The important outcome of the Cairo Conference was the enunciation of the principles of peaceful co-existence which were recommended for adop-

tion to the United Nations General Assembly, on the occasion of the 20th anniversary of the United Nations.

Between the two conferences there was considerable lessening of international tension presaged by the growing understanding between the United States and the Soviet Union. The resolution of the Cuban crisis indicated that ideological differences need not be a bar to an agreement on mutual survival and avoidance of confrontation. India, along with many other non-aligned nations, aware of the danger to peace from nuclear confrontation, emphasized the need for banning nuclear tests and universal disarmament under proper international control. At both the conferences of the non-aligned nations, this subject was on the agenda and agreed resolutions were adopted to this end. After protracted parleys the USA, the United Kingdom and the USSR signed a treaty in July 1963 banning nuclear weapon tests in the atmosphere, in outer space and under water. India, along with other non-aligned countries that were members of the 18-Nations Disarmament Committee, exercised a "moderating and catalytic influence" in helping to achieve this agreement and was one of the first among these countries to sign it.

(iii) 1966—75 : India's international relations in the decade following 1966 acquired a new depth and dynamism. There was extension of friendly relations with the countries of all parts of the world with increasing emphasis on economic cooperation. Friendly relations with immediate neighbours were promoted through the exchange of visits and discussions on matters of mutual interest. The Prime Minister's visit to Afghanistan in 1969 led to the setting up of a joint commission to study and plan various projects and draw programmes for mutual cooperation. The visit of the Shah of Iran to India in 1974 resulted in the setting up of a joint commission on economic, trade and technical cooperation. The signing of the trade and transit treaty with Nepal in 1971 reflected the desire on the part of both India and Nepal to solve their problems through accommodation and mutual understanding. The conclusion of a boundary agreement with Burma in March 1967 and of an agreement with Sri Lanka in June 1974, on the division of the historic waters in the Palk Bay, resulted in the amicable settlement of the question of ownership of Katchchativu island. These agreements reflected the success of India's policy of settling unresolved problems with her neighbours on the basis of mutual cooperation, accommodation and friendship.

There was, however, little improvement in India's relations with China and Pakistan. China, ever since 1962, continued to be in occupation of parts of Indian territory and seemed frozen in her posture

of hostility towards India. India adopted an attitude of restraint and expressed her willingness to normalize relations with China and settle the unresolved problems but there was no adequate response from the Chinese side. As regards Pakistan, the hope for improvement in relations following the Tashkent Agreement did not materialize. Though both India and Pakistan accepted the award given by the International Tribunal in 1968 on the boundary question in Gujarat-West Pakistan region, Pakistan's general approach towards India continued to be that of distrust and hostility. Relations came under severe strain when Pakistan's repressive policy in East Pakistan resulted in consequences which endangered the security and stability of India in the eastern region. The inability of Pakistan to suppress the liberation movement in East Pakistan generated pressures within Pakistan that led the country to launch an attack on India in December 1971. India had no option but to resist Pakistani aggression. However, as soon as the conflict in East Pakistan was over, she declared a unilateral cease-fire. Persistent in the belief that peace, friendship and cooperation with Pakistan was the best guarantee for peace and stability on the Indian sub-continent, India made efforts to bring about normalcy in her relations with Pakistan. This met with success when the two countries signed the Simla Agreement in July 1972. India's willingness to withdraw from the territories occupied by her during the 1971 conflict demonstrated her peaceful intentions towards Pakistan. Under the agreement, the two countries resolved to settle their differences by peaceful means through bilateral negotiations. They agreed to respect each other's national unity, territorial integrity, political independence and sovereign equality. In order to restore and normalize relations "step by step" it was decided to discuss measures to resume communications, promote travel facilities and work for cooperation in trade and other fields.

In line with the Simla Agreement the two countries maintained contacts in order to resolve problems through bilateral negotiations. While the process was not smooth and quick, it led to the conclusion of agreements in a number of fields. An agreement for the repatriation of nationals of either country detained in the other prior to the 1971 conflict was signed in April 1974. Bilateral contacts were resumed in September when an agreement was reached regarding the resumption of postal and telecommunication links. This was followed by a trade agreement in December 1974 and a shipping agreement in January 1975. Though talks on the resumption of overflights remained inconclusive, the two countries were able to reach another trade agreement in January 1976. The progress towards normalcy remained slow and "halting" because of the anti-Indian propaganda

carried out by Pakistan in many countries of the world. India, however, remained consistent in her policy of seeking normally in relations with Pakistan in the spirit of the Simla Agreement.

The successful struggle in East Pakistan for liberation resulted in India acquiring a new independent neighbour in the People's Republic of Bangladesh. India could not view in silence the struggle of the people of East Pakistan in resisting repressive policies of the Government of Pakistan. The influx of millions of refugees from East Pakistan into India created economic, political and security problems. Every effort was made to make the international community realize the gravity of the situation. Failing to get adequate response, India had no option but to extend help to the forces of democracy, freedom and liberty in East Pakistan. When Pakistan attacked India in December 1971, India joined hands with the liberation forces of East Pakistan and contributed to the emergence of a free Bangladesh. In line with her policy of establishing friendly relations with the neighbouring states, India developed close economic and political ties with the newly independent State. The highlight of this policy was the signing of the 25-year treaty of peace, friendship and cooperation with Bangladesh in March 1972. The treaty paved the way for closer cooperation between the two countries in political, technological and economic fields. The land boundary agreement signed in May 1974 marked another step towards friendship and good-neighbourliness. The provisional agreement regarding the Farakka Barrage signed in May 1975 marked the success of a policy to resolve problems with neighbours through bilateral negotiations and mutual accommodation. The assassination of Sheikh Mujibur Rahman in August 1975, and the consequent instability in that country, came as a great shock and caused anguish and concern. These developments were regarded as an internal affair of Bangladesh but India hoped that the situation in Bangladesh would stabilize and the relations between the two countries would develop on the basis of secularism, non-alignment, peaceful co-existence and non-interference in each other's internal affairs. India considered normal and friendly relations with the countries of the sub-continent necessary for the progress of their people and peace and stability in the region.

The visit of the Prime Minister in 1968 to Australia, New Zealand and Malaysia and in June 1969 to Indonesia indicated India's growing interest in strengthening relations with countries of South-East Asia. During her visit the Prime Minister assured these countries that India would do every thing possible to explore all avenues of regional co-operation in economic and other fields with them. The practice of holding bilateral annual official talks with Australia, Indonesia and



Malaysia provided an additional step for creating better understanding and cooperation with these countries. An agreement signed with Indonesia in August 1974 regarding the delimitation of the continental shelf boundary was another instance of settling problems through bilateral negotiations. As regards the states of Indo-China, India stressed that there could be no military solution and the people of these states should be allowed to settle their problems without outside intervention. The triumph of the nationalist communist forces in South Vietnam, Cambodia and Laos in 1975 made possible the restoration of peace in the region. India extended recognition to the new regimes that came to power and expressed readiness to help these countries in the task of economic reconstruction and rehabilitation.

In West Asia, the Arab-Israel dispute constituted a threat to peace. India was conscious that instability in this region would endanger her own security. When the war broke out in 1967 between the Arab states and Israel, India worked hard in the United Nations for the restoration of peace in the region. It was India's belief that no permanent solution of the West Asian problem could be achieved without vacation by Israel of the territories illegally occupied by her and the restoration of the legitimate rights of the Palestinian people. India lent full support to the Security Council resolution of November 1967 which, among other things, provided for the withdrawal by Israel from the Arab territories occupied by her.

The consciousness of the changing priorities in international relations in favour of economic cooperation and for 'better balance in international economic relationship' was reflected in the active interest shown by India in the second UNCTAD conference held in New Delhi in 1968 and at the various non-aligned conferences. Speaking at the UNCTAD conference Prime Minister Indira Gandhi said : "The elimination of poverty and the development of impoverished regions are now widely accepted as international obligations. In order to discharge them, it is imperative that the international community finds ways and means to intervene effectively in defining responsibility of economic power, in matching resources to needs, and in guiding economic forces towards progress and peace." The need for cooperation among the non-aligned countries to meet the challenge posed by the economic realities of the world situation was further highlighted at the Third Non-Aligned Conference held at Lusaka in September 1970. The conference was attended by 54 countries as full members and 9 observers. The Prime Minister, speaking at the conference, said that beyond the political problems of the unfinished revolution there were complex and difficult economic tasks and the conference "should formulate the manner in which we could strengthen one

another and give due priority to our national policies, the positive measures for mutual cooperation." Reiterating the same at the Non-Aligned Summit Conference held at Algiers in 1973, she said : "The unfinished revolution must, therefore, continue until freedom is assured to all, until inequalities amongst nations and within them are narrowed and until the power at the disposal of nations is tamed through institutions in which all peoples can participate". The Action Programme for Economic Cooperation adopted by the Lusaka Conference and the Economic Declaration adopted by the Algiers Conference highlighted the need for greater self-reliance and greater economic cooperation among the non-aligned countries. The same theme gained prominence at the Commonwealth Conference held at Kingston in May 1975 in which the Prime Minister stressed that the Commonwealth should address itself to the issue of economic inequalities and generate momentum for economic cooperation.

The energy crisis resulting from the rise in price of petroleum in 1973 gave a further dimension and urgency to the solution of economic problems. India played a constructive role at the special session of the United Nations General Assembly held in April-May 1974 and elsewhere wherever the question of resources, raw materials and development came under discussions. While she supported the right of the oil-producing countries to have sovereignty over their natural resources and to secure fair price for their raw materials, she stressed the need for providing compensating mechanism such as special funds to help developing nations meet their increased energy costs and balance of payment difficulties. The Charter of Economic Rights and Duties of States adopted by the United Nations General Assembly in December 1974 reflected the views of India regarding the new economic situation. The Charter stated that economic relations among states should be governed on the principles of co-existence, sovereignty, non-interference and peaceful settlement of disputes and economic development of the world on the basis of cooperation between the developed and the developing countries.

On the bilateral level India took steps to foster economic cooperation with all countries of West Asia, particularly the major oil-producing countries. This was meant to ensure uninterrupted oil supply to India in return for assistance and cooperation offered to the oil-producing countries towards their industrialization and development. An agreement on technical and scientific cooperation signed with Iraq in January 1970 was followed by a trade and economic cooperation agreement in 1971. A new dimension to economic ties with that country was given by the signing of another economic and technical cooperation agreement in April 1973 and the establishment

of a permanent Indo-Iraq Joint Commission for Economic and Technical Cooperation in March 1974. The visit of the Prime Minister to Iran in April-May 1974 followed by the visit of the Shah of Iran to India in October 1974 gave impetus to the growing economic cooperation with Iran. An agreement on economic cooperation signed between the two countries related to cooperation in oil, chemical, fertilizer, iron ore, steel, cement; textiles, fishing, tea and navigation. India agreed to provide technical personnel in various fields for service in Iran while Iran agreed to grant a soft loan for a number of projects in India. A joint committee for economic and technical cooperation was also set up with Kuwait and another joint commission was established with the United Arab Emirates to expedite the implementation of various proposals in the economic field. The visit of the Minister of External Affairs to Egypt and Syria in May-June 1975 and the visit of the President to Egypt and Sudan in December 1975 reflected India's policy to maintain close ties of friendship with these countries. The recognition extended to the Palestine Liberation Organization signified India's consistent support for the aspiration of the people of Palestine.

The pattern of economic cooperation with other countries of the world was promoted through the development of Indian Technical and Economic Cooperation Programme (ITEC) particularly for the developing countries of Asia and Africa. The success of the ITEC programme was evident from the fact that when introduced in 1964 it involved an expenditure of Rs. 4.46 lakhs but was estimated to increase to Rs. 334.55 lakhs covering 45 countries during 1974-75. The programme resulted in substantial economic cooperation with Afghanistan, Sri Lanka, Burma, Maldives, Malaysia, Indonesia, Fiji, Iran, Iraq, United Arab Emirates, Saudi Arabia, Libya, Somalia, Tanzania, Mauritius, Gabon, Zambia, Oman and People's Republic of Yemen. It provided training facilities for personnel of these countries in India, deputation of Indian experts to these countries, gifts of equipment, drugs, medicines and financial assistance for conducting feasibility studies and techno-economic surveys.

The awakening of Africa and the emergence of most of the former African colonial territories as independent states during the sixties opened the prospects of closer relations between India and the countries of Africa. The association of some of the African states with India as members of the Commonwealth and as members of the non-aligned group and their common approach towards anti-racialism and anti-colonialism as well as India's support for the African liberation movements facilitated close understanding and co-operation. Relations were strengthened in economic and technical

fields and the ground for cooperation was prepared by the visits of important dignitaries and delegations to India and of Indian leaders to African countries. An agreement on technical, economic and scientific cooperation was signed with Ethiopia in June 1969. The visits of the Prime Minister of Mauritius to India in 1969, 1972 and 1975 and the visit of the Prime Minister of India to Mauritius in 1970 helped to foster close ties between India and Mauritius. During the visit of the President of Zambia to India in January 1975, an agreement on economic, scientific, technological and industrial co-operation and a protocol on bilateral cooperation was concluded between India and Zambia. The visit of the President of Tanzania to India in January 1971 resulted in a decision to work out details of cooperation between the two countries. Two agreements with Tanzania followed the visit of Vice-President of Tanzania to India in February 1973. These covered assistance and training of technical and professional cadres in small scale and other industries and strengthening and developing other industries in Tanzania. Relations with the countries of West Africa included a trade agreement with Cameroon in 1968 and an economic and technical cooperation agreement with Guinea in April 1970. The visit of the President of Zaire to India in January 1972 resulted in the setting up of cultural cooperation. An agreement on technical, economic and cultural cooperation was concluded with Senegal when the President of that country visited India in May 1974. During the visit of the President of Gabon to India in October 1974, stress was laid on the desirability of expanding trade, economic and technical cooperation between India and Gabon.

While India gave importance in her international relations to closer ties with her neighbours and with other developing countries of Asia and Africa, she also worked for friendship with countries in other regions of the world including Europe and America. She welcomed the process of *detente* and normalization of relations in Western Europe, particularly *Ostpolitik*, resulting in the Federal Republic of Germany signing treaties with the Soviet Union and Poland in 1970. The Four-power accord on Berlin in 1971 and the successful conclusion of the conference at Helsinki on security and cooperation in Europe in August 1975 were considered steps in the right direction for bringing about security, stability and cooperation. India hoped that the spirit of *detente* would extend to other parts of the world and lead to general international cooperation and peaceful co-existence in international relations. At bilateral level India received generous economic assistance from Britain, France and the Federal Republic of Germany in the task of her economic development. Periodical bilateral consultations with Britain, France and the

Federal Republic of Germany promoted a climate of mutual understanding on bilateral and international issues. India's association with Britain as a member of the Commonwealth also helped towards friendly ties. Close economic and technical relations were developed with countries of Northern Europe, particularly Sweden and Finland, through the setting up of joint commissions for economic, industrial, technical and scientific cooperation with both these countries.

The pattern of fostering economic cooperation through joint commissions was also followed with regard to the countries of Eastern Europe. The setting up of joint commissions with Czechoslovakia in 1966, with Bulgaria and Hungary in 1973 and with Rumania and the German Democratic Republic in 1974 highlighted the importance given by India and these countries to develop close economic co-operation. These joint commissions helped towards accelerating and coordination of activities in economic, commercial, industrial, scientific and technological fields. The identity of approach with these countries regarding the question of peaceful co-existence, anti-colonialism, and anti-racialism further helped towards greater political understanding.

The visit of the Prime Minister of India to Latin America and the Caribbean countries, *i.e.*, Argentina, Chile, Brazil, Venezuela, Guyana and Trinidad and Tobago in 1968 marked an attempt by India to extend the field of friendship and cooperation to the American hemisphere. The visit of the Foreign Minister of Jamaica to India in January 1975, India's Minister of External Affairs to Guyana in March 1975 and of the Presidents of Mexico and Guyana to India symbolized the growing contacts of India with the countries of the Latin American region. Most of these belonged to the category of developing countries and a number of them were associated with India as members of the non-aligned group. The holding of the meeting of the coordinating committee of non-aligned countries at Havana and of Foreign Ministers at Lima and the resolutions passed in these meetings condemning the exploitation and economic domination of South American countries by outside powers highlighted the association of the Latin American countries with the non-aligned movement.

India's policy of developing closer relations with all countries of the world did not preclude developing close ties with the super powers. In the Soviet Union, India found a strong Asian neighbour that displayed great understanding and sympathy for India's policies, needs and aspirations. During the 1971 crisis between India and Pakistan, the Soviet Union showed real appreciation of the steps taken by India in the wake of developments in East Pakistan and the struggle for its liberation. The highlight of India's relations with the Soviet Union

was the signing of the treaty of peace, friendship and cooperation between the two countries in August 1971. The treaty gained Soviet respect for India's policy of non-alignment and assured Soviet support for any aggression or threat of aggression against India. In the words of Prime Minister Indira Gandhi, the treaty was to protect "the national interest of non-aligned states" by discouraging the policies of "hegemony or confrontation", and would act as a deterrent against any "rash adventurism". The visit of Mr. Brezhnev to India in November 1973 further strengthened relations between India and the Soviet Union, resulting in three agreements—a 15-year agreement on economic and trade cooperation, an agreement on cooperation between the Planning Commission of India and the State Planning Committee of the USSR and a Consular Convention. India's Minister of External Affairs, speaking in the Rajya Sabha in July 1974, said that the Soviet Union had stood by India at all difficult times and continued friendship with the Soviet Union was a key factor in India's foreign relations. The visit of the Soviet Defence Minister to India in February 1975 reflected the importance attached by both India and the Soviet Union to the strengthening of peace and stability in Asia. Side by side with intimate political ties and collaboration in defence matters, there was increasing cooperation with the Soviet Union in the field of trade and commerce. The trade turnover between the two countries increased from Rs. 412 crores in 1973 to Rs. 550 crores in 1974 and the two countries agreed to double their bilateral trade by 1980. Friendship and all-round cooperation with the Soviet Union developed on the solid basis of mutual respect, mutual benefit and non-interference in each other's internal affairs.

While developing close ties with the Soviet Union, India was equally conscious of the important role of the United States in world affairs and the need to develop friendly and more mature relations with that country. Prime Minister Indira Gandhi in an interview said : "India has always been for friendship with all countries and naturally the United States is a very important country which cannot be ignored nor do we wish to ignore it". India shared with the United States the common ideals of freedom and democracy. Both countries realized that in the changing economic and political realities in international situation, there was need for inter-dependence and co-operation. India received considerable economic assistance from the United States. Differences with that country on a number of international problems, however, limited close relationship. The supply of large quantities of arms by the United States to Pakistan and the "tilt" of the United States towards Pakistan during the 1971 Bangladesh crisis were considered by India as factors coming in the way of

promotion of peace and stability in the sub-continent. India further did not approve of the United States setting up a base at Diego Garcia in the Indian Ocean. Despite these differences, however, India did not see any reason why relations based on mutual understanding need not be developed between the two countries. A step in that direction was taken in 1974 during the visit to India of the United States Secretary of State, Dr. Kissinger. The two countries agreed to set up a joint commission for economic, commercial, technological, educational and cultural cooperation. Dr. Kissinger reaffirmed United States support and understanding of India's efforts for normalization and reconciliation in the sub-continent without outside interference and recognized her role as a major factor for peace, progress and stability in Asia. India's Minister of External Affairs, speaking on the occasion, said : "This was an important landmark in Indo-American relations and is a concrete expression of desire of our two governments to build up an institutional framework for meaningful cooperation. . . . the establishment of the Commission fits in with the large pattern of emerging inter-dependence of the world in which no country can be entirely self-sufficient and where there is no real alternative to peaceful international cooperation". The Indo-US Joint Commission met in October 1975 and discussed ways to expand cooperation in trade and investment, science and technology, education and culture. It was agreed to establish a Joint Business Council and to actively encourage joint ventures in third countries. The constructive approach adopted by the Commission reflected the desire of both India and the United States to promote trade, cooperation and understanding on a realistic basis.

While India was conscious of the growing *detente* between Soviet Union and the United States, she was equally aware of their rivalry and their efforts to extend their influence in different parts of the world. This was indicated not only by their interest in developments in Portugal and Angola but also by their not abandoning armament race despite some limited progress in strategic arms limitation talks. India felt that the United Nations had an important role to play for maintenance of peace and stability and relaxation of international tension. Prime Minister Indira Gandhi, speaking before the General Assembly of the United Nations in October 1968, said : "The United Nations is the trustee of the world's peace and represents the hopes of mankind. Its very existence gives a feeling of assurance that the justice of true causes can be brought fearlessly before the world." India expressed her faith in the commitments of the United Nations, at the non-aligned conferences, Commonwealth conferences and also in her bilateral exchanges and discussions with leaders of different

countries. She worked through the United Nations and its various agencies for the promotion of world peace and eradication of colonialism, furtherance of the cause of disarmament, international economic cooperation and for the removal of inequalities and disparities among nations. Apart from contribution towards the resolutions of various crisis which might constitute a threat to peace, India took active interest in the problem of disarmament and played a constructive role in the deliberations of the United Nations Committee on Disarmament. While India strongly believed in the prohibition of nuclear weapons, she did not sign the non-proliferation treaty of 1968 as the provisions of the treaty were not balanced and were discriminatory and they did not impose equal obligations on both the nuclear and non-nuclear powers. India was of the view that the developing countries should make use of the advanced technology and there was nothing wrong in conducting nuclear explosions for the utilization of atomic energy for peaceful purposes. It was in this context that India carried out an underground explosion in May 1974. She, however, continued to maintain her belief in the necessity of universal disarmament to further the cause of peace and security, and advocated this point at not only the non-aligned conferences but also at the United Nations. The conference of Foreign Ministers of non-aligned countries that met at Lima in August 1975 expressed concern at the intensification of arms race particularly of the nuclear weapons. It was agreed that the non-aligned countries should coordinate their efforts within the framework of the United Nations to promote the holding of a world conference on disarmament as early as possible. Speaking in the UN General Assembly in September 1975, India's Minister of External Affairs deplored the incredible arms race between the super powers involving huge stocking of weapons and emphasized that the full potential of *detente* could not be realized until there was transfer of real resources from military expenditure to areas of vital concern for the well-being and development of mankind. He regretted the lack of serious attention towards the problem of nuclear disarmament and to the general question of convening world conference on disarmament.

A significant development in the early seventies was the increasing activity of the big powers in the Indian Ocean marking the extension of their rivalry into that region. India, with a large coastline, was naturally concerned about her security in the context of this development. She condemned the establishment of Diego Garcia base by the United States and consistently advocated that the Indian Ocean should be kept free from foreign bases and from big power rivalry. This view was unanimously endorsed by the United Nations General Assembly which passed a resolution to that effect in December 1971.



The non-aligned conference at Lusaka (1970), at Algeria (1973), and the meeting of the coordinating bureau of non-aligned nations held at Havana in March 1975, and the meeting of the Foreign Ministers of non-aligned nations held at Lima in August 1975 passed resolutions advocating the maintenance of the Indian Ocean as a zone of peace free from great power rivalry. India emphasized this view in her bilateral exchange with the leaders of the littoral states.

To sum up, the foreign relations of India ever since independence have aimed at promoting the cause of freedom, peace and international cooperation. The policy of settling disputes through bilateral negotiations helped India to resolve problems with most of her neighbours. In the early stages when the cold war seemed to threaten world peace, India's policy of non-alignment prevented the division of the world into two hostile blocks and this helped towards the easing of international tension and the extension of the area of peace. In the large context of international relations the acceptance of the principle of peaceful co-existence as the basis of inter-state relations by most powers vindicated India's policy of developing friendship and cooperation with all countries irrespective of their different social systems.

Following the *detente* between the two super powers during the sixties there was a general shift on emphasis from political to economic problems. India adjusted her international relations accordingly and these acquired an increasing economic content leading to greater economic cooperation. There was greater recognition of the injustice of economic disparity among nations of the world and the division of the world into rich and poor countries was considered a threat to international peace. The energy crisis in 1973 gave an additional emphasis and urgency to the need for a new international economic order to prevent confrontation between the developed and the developing countries. India through her association with the non-aligned countries, with the Commonwealth countries and the forum of the United Nations highlighted the importance of cooperation and solidarity among the developing nations as well as the need for them to evolve a policy of cooperation with the developed countries. The policy of non-alignment through "originality and continuity" took into account the economic realities of the changing international situation. The principal objective of non-alignment became the narrowing and eventual bridging of the gap between the developed and the developing countries and established a balanced cooperative relationship between them. The stress on economic cooperation strengthened the force of peace and created greater self-reliance and solidarity among the developing countries to face the economic and political challenges confronting them. The

pursuit of non-alignment by India acquired a new relevance for realizing the basic objectives of her foreign policy.

## B. INDIA'S PARTICIPATION IN INTERNATIONAL ORGANIZATIONS

This section describes briefly

- (i) the administrative set-up for dealing with international organizations ;
- (ii) the method of recruitment and training of the personnel for international work ;
- (iii) the composition and work of delegations to international conferences ; and
- (iv) budgetary obligations to international organizations ;

Before we attempt such description, it is as well to state and emphasize the fact that India is, in this context, a relatively new State. With the transfer of power from Britain to India in August 1947, no doubt India inherited an administrative machinery which, generally speaking, enabled the government to start well in its stupendous task of maintaining law and order, creating unity out of diversity and improving living standards. But in handling international relations, the new government had, as it were, to start from scratch. This is primarily because these relations, under the British rule, had been handled very largely by the British Foreign Office, and by British personnel. It is to the credit of the Government of India that during the last twenty-eight years they have evolved a satisfactory machinery for handling India's relations with international organizations, though much still remains to be done by way of precise formulation and the machinery for the implementation of proposals of international agencies has to be improved, specially in the context of a federal state.

India is a member of about seventy-three international organizations, list of which is given in the Appendix. Several of the organisations have committees, commissions and working groups in whose work also, India, as a member of the organization, has to participate. Thus the General Assembly of the United Nations, as will be seen from the Appendix, has some seventeen committees, commissions and working groups.

### 1. Administrative Set-up for International Organisations

**The External Affairs Ministry :** The overall organization of the External Affairs Ministry has two broad divisions (i) the headquarters

organization and (ii) the diplomatic missions abroad. The Ministry yet forms one integrated organization in the sense that all officials, from the Secretary down to the under-secretary at the headquarters and from the Head of the Mission to the third secretary in diplomatic missions, are members of the Indian Foreign Service<sup>1</sup>. As such any person can be transferred as need arises from the headquarters to the diplomatic missions and the *vice-versa*.

The organization at the headquarters may be briefly described thus. Under the Minister for External Affairs, there are three secretaries, the Foreign Secretary, Secretary (East) and Secretary (Economic Division). They in turn are helped by officers styled as the joint, the deputy and the under secretaries.

There are eighteen divisions in the ministry. Eight of these are territorial divisions dealing with India's relations with foreign countries, for instance with South-East Asia, West Asia, Africa, etc. The other ten divisions are functional such as Administration, Protocol and Consular, External Publicity, etc. One of these functional divisions, *viz.*, United Nations and Conferences and Disarmament is primarily concerned with international organizations. The Minister for External Affairs is responsible for the normal working of the ministry and for most policy decisions. Proposals to introduce major legislation in the central legislature, and cases involving negotiations with foreign and Commonwealth countries on matters of major importance, for instance the trade agreements, have to be brought before the Cabinet. All matters having financial implications have to be referred to the Finance Ministry before a final decision is taken. In the event of an unresolved disagreement between the two ministries the matter is considered by the Cabinet.

The responsibility for handling international organizations is primarily, as it should be, of the External Affairs Ministry; but other ministries share in this responsibility to such extent as their special experience makes a devolution of the responsibility useful and possible as indicated below.

International conferences with which India is concerned are divided into two classes. Firstly, there are regular conferences, arising from India's membership of international organizations such as the United Nations and its various organs and specialized agencies, and the International Wheat Council. There are at present about seventy-three such organizations. Then there are *ad hoc* conferences such as the Peace Conference, the Commonwealth Conferences and the Political or Trade Missions from India to foreign countries.

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1. It may be added that the Minister for External Affairs and some Heads of the Mission are not members of the Foreign Service.

For every international organization of which India is a member, a ministry of the Government of India is designated as the operative ministry. The External Affairs Ministry is the operative ministry for the principal organs of the United Nations such as the General Assembly, the Economic and Social Council, the Security Council, the Trusteeship Council, the International Court of Justice and for certain commissions and committees formed under their auspices such as the Peace Observation Commission and the 18-Nation Disarmament Committee. For other organizations such as the Specialized Agencies, the ministry which is specially concerned is the operative ministry.

**Technical Ministries :** The Ministry of Food and Agriculture deals with the Food and Agriculture Organization (FAO) and with smaller organizations like the Commonwealth Agriculture Bureau and the International Sugar Council. This ministry has evolved an interesting type of liaison between the Government of India and an international organization. The work of liaison has been entrusted to a body known as the National Food and Agriculture Organization Liaison Committee for purpose of discharging the Government of India's obligations as a result of its membership of the Food and Agriculture Organization of the United Nations.

The Committee has a minister of state in the Ministry of Agriculture and Irrigation as its Chairman. Its members include officials and non-officials as well as the FAO representative in India. The following list of its members indicates how broadbased its membership is :

- Four representatives of the Lok Sabha
- Two representatives of the Rajya Sabha
- Five representatives of rural people's interests to be nominated by the Chairman
- One representative of the Federation of Chambers of Commerce and Industry
- One representative of the Farmer's Forum (Bharat Krishak Samaj)
- One representative each of the Department of Food, Department of Rural Development, Department of Cooperation, Department of Agricultural Research and Education, Department of Education, Department of Economic Affairs, Ministry of External Affairs, the Planning Commission and the Ministry of Commerce.

**Secretary (Agriculture)**

Director-General, Indian Council of Agricultural Research,  
New Delhi

All additional secretaries in the Department of Agriculture

**Inspector-General of Forests**

**All joint secretaries in charge of technical divisions**

**Chairman, Agricultural Prices Commission, Department of Agriculture**

**Agricultural Commissioner, Department of Agriculture**

**Economic and Statistical Adviser to the Government of India**

**Animal Husbandry Commissioner to the Government of India**

**Executive Director, Food and Nutrition Board (Department of Food)**

**Director of Administration, Directorate of Extension**

**Plant Protection Adviser to the Government of India**

**Joint Commissioner (Export Promotion)**

**Director of Public Relations, Department of Agriculture**

**FAO representative in India**

The following terms of reference of the Committee clearly indicate the importance of its functions :

- (i) Preparation of material for the national delegations to the FAO conference, sessions and their meeting.
- (ii) Finalizing the stand of the Government of India on various important matters under discussion in FAO forums.
- (iii) Liaison with non-official organizations and institutions concerned with the work of FAO.
- (iv) Dissemination of information about FAO.
- (v) Ensuring that the government make the fullest possible use of the services/resources provided by FAO and to suggest ways and means to utilize FAO resources/services.
- (vi) Maintaining close liaison with the FAO in fulfilment of the objectives of the organization and furnish the organization with any available material that may be useful for its work.

The resolution of the Government of India of August 1975 which reconstituted the Committee on the above lines added that (i) the secretary of the Committee will act as the liaison officer with the Food and Agriculture Organization of the United Nations ; (ii) communication of matters of policy will continue to be made through ordinary diplomatic channels ; and (iii) all other communications bearing on the work of the Food and Agriculture Organization of the Committee shall be centrally directed. Accordingly all such communications shall be forwarded to the Food and Agriculture Organization by the secretary of the Committee and the Food and Agriculture Organization will be asked to address its communication to the Government of India

through the secretary of this committee ; and (iv) the secretary will pass requests for information, etc., received from the Food and Agriculture Organization to the appropriate ministries and will consult the Committee on all important matters.

The Ministry of Labour and Rehabilitation is the operative ministry for all work connected with the International Labour Organization (ILO). There is a special section known as the Labour Conferences Branch which deals with all aspects of international work including labour and social problems coming up before the United Nations, the specialized agencies or other international organizations.

The Education Ministry is the operative ministry for all work connected with UNESCO. Since the Education Ministry is also responsible for the cultural relations of India with foreign countries, they are naturally in close contact with the External Affairs Ministry and occasionally papers from the United Nations concerning social affairs, education and allied subjects are sent to them.

The Ministry of Industry and Civil Supplies is the operative ministry for the Asian Productivity Organization and the International Organization for Standardization (ISO).

The administrative arrangements for matters connected with the International Organization for Standardization are noteworthy. They illustrate how in an essentially technical matter a government department can act through a quasi-government institution, and yet retain sufficient control to enable it to discharge its obligations to the international body satisfactorily. India is represented on the International Organization for Standardization through the Indian Standards Institution. This institution is a quasi-government body registered under the Registration of Societies Act of 1860 with membership open to any person or organization interested in the object of standardization. The government of the states and many technical and commercial organizations are its members. The affairs of the institution are managed by a General Council constituted by the representatives of the interested ministries of the Government of India, of state governments and of important scientific, technical and commercial organizations. The Minister of Industry and Civil Supplies is the President of the Council, and he nominates the Chairman of the Finance Committee as the institution is financed partly by the government.

The functions of the General Council specifically include collaboration with National Standards Bodies in foreign countries, the International Organization for Standardization and other similar organizations in the national and international sphere. The administration is otherwise run by a director-general acting under the authority of

the General Council and the Executive Committee without any direct control by the Government of India. A close liaison with the Government is always maintained through the Ministry of Industry and Civil Supplies. All proposals made by the Secretary-General of the ISO come to the director-general who refers them to appropriate committees and interested parties ; the final decision is taken by the Executive Committee.

Other technical ministries which deal with international organizations are the Ministries of Finance, Commerce, Health and Family Planning, Shipping and Transport, Defence, Information and Broadcasting, Works and Housing, Home Affairs, Law, Justice and Company Affairs, Tourism and Civil Aviation, Railways and Steel and Mines.<sup>2</sup> There are no special features about the international arrangements made by them for transacting their work with international organizations—a branch or division in the ministry deals with the subject under the general control and responsibility of the secretary of the ministry.

**Coordination between Technical Ministries and International Organizations :** Inter-ministerial coordination in respect of international organization affairs has two aspects. Such coordination must ensure (i) that in matters which involve policy the External Affairs Ministry is consulted by the other ministries and its decision is implemented, and (ii) that every ministry must be supplied with the relevant information by other ministries in all matters which affect its work. In order to ensure that these objectives are secured, a set procedure has been evolved, defining the fields of responsibility of the operative ministry and their obligation to keep in touch with the External Affairs and with other ministries when necessary. The operative ministry has the following functions and responsibilities :

- (i) Correspondence with the secretariat of the conference, commission or organization concerned, receipt of documents and their distribution to interested ministries, notices or meetings, agenda, etc. (External Affairs will be deemed to be an interested ministry wherever another is an operative ministry.)
- (ii) Selection of the personnel of the Indian delegation : The External Affairs Ministry should be consulted before the composition of the delegation is finally settled.
- (iii) Preparation of briefs for the delegation : The External Affairs Ministry should be consulted, if necessary, by means of a meeting, before the brief is finalized. Copies of such

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2. See Appendix for the international organizations in respect of which these ministries are operative ministries.

briefs furnished to the Indian delegations to various international conferences should be supplied to :

- (a) the External Affairs Ministry,
  - (b) the permanent representative of India to the United Nations, New York, and
  - (c) the Diplomatic Head of the Indian Mission concerned.
- The same procedure should be followed when supplementary instructions are issued to the Indian delegates when the conference is in session:
- (iv) Making arrangements for travel and accommodation at the place of meeting.
  - (v) Obtaining necessary financial sanction for the delegation.
  - (vi) Informing the Diplomatic Head of the Indian Mission, if any, in the country concerned of the composition and terms of delegations. (The Permanent Representative of India to the United Nations in New Delhi should also be informed in this regard in respect of all conferences of the United Nations Organization or Specialized Agencies).
  - (vii) Arranging for the provision of foreign exchange to meet expenditure abroad.
  - (viii) Arranging for the release of press note indicating the composition of the delegation as soon as it has been finalized.
  - (ix) Providing the Public Relations Officer to the delegation or its secretary (with a copy to the External Affairs Ministry) with a biographical sketch of each member of the delegation as soon as the preliminary selection has been made.
  - (x) Where several ministries are concerned in the agenda of a conference, the operative ministry will coordinate the views of the various ministries concerned.

Other important ways of ensuring that the role of the External Affairs Ministry in the coordination of policy is duly respected are the following :

1. Wherever necessary and possible, a representative of the External Affairs Ministry is attached to delegations to international organizations or to *ad hoc* missions proceeding abroad. He is expected to advise the delegation on the political aspects of an apparently non-political question and to supply the necessary corrective from the political point of view.

2. All correspondence to the United Nations or to its agencies, it is laid down, should be sent, as a general rule, by the External Affairs Ministry through the Permanent Representative of India to the United Nations at New York. Correspondence on routine matters may



however, be addressed but not sent direct to the United Nations and its agencies by other ministries of the government. Such correspondence should always be sent through the Permanent Representative of India to the United Nations at New York, and copies should be endorsed to the External Affairs Ministry. The ministries concerned may correspond directly with the Specialized Agencies of the United Nations without any intermediary but the External Affairs Ministry and the Permanent Representative of India to the United Nations at New York should be supplied with copies of all such communications.

3. Before any ministry of the Government of India accepts any invitation to a conference or decides to send an *ad hoc* mission abroad for discussions or negotiations with foreign governments, the External Affairs Ministry should be consulted.

4. Each ministry should name an officer who would coordinate conference matters with the External Affairs Ministry and whom the External Affairs could consult.

5. In cases where the United Nations conferences are held at centres other than the headquarters of the United Nations, when delegations discuss matters of interest to India informally with the officials of the United Nations or other delegations, a record of such discussions and minutes of meetings should be sent by the delegation to the Permanent Representative of India to the United Nations in New York to keep him fully informed of such discussions.

Verbatim copies of important speeches made by our representatives in committees and in plenary sessions should be obtained and forwarded to the External Affairs Ministry and the Permanent Representative of India to the United Nations at New York. A copy of such speeches should also be sent to the head of our diplomatic mission concerned, if any.

It must be added that the personal discussions and *ad hoc* inter-ministerial meetings play an important part in connection with inter-ministerial coordination. These meetings are arranged not regularly but from time to time as needs arise. At these meetings, important items are discussed frankly and fully.

**Advisory Bodies :** There are advisory bodies attached to some ministries. The Education Ministry, for example, has some twenty such committees or commissions. The Finance Ministry has none. Some ministries call them consultative bodies. In the context of our discussion, the value of such advisory bodies is that it enables the government to avail themselves of expert opinion which may not be available to them otherwise ; besides, the device enables them to put across ideas to gain public support. We shall illustrate the composition and functions of these bodies with reference to a consultative committee attached to the Ministry of External Affairs and a commission attached

to the Ministry of Education.

There exists a Parliamentary Consultative Committee attached to the Ministry of External Affairs. Its membership is not fixed. It meets occasionally during the sessions of Parliament. Discussions, which are informal, are held on issues in which members are interested. It helps members of Parliament to be better informed of government policies and at the same time enable the Foreign Minister to listen to the views of members of Parliament on particular problems. The Indian National Commission for Cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) is one of the several advisory bodies to the Ministry of Education.

India has been a member of UNESCO since its inception in 1946. Article VII of the Constitution of UNESCO requires that "each Member State shall make arrangements as suit its particular conditions for purposes of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organization preferably by the formation of a National Commission broadly representative of the government and such bodies", and further provides that "National Commissions or national cooperating bodies, where they exist, shall act in an advisory capacity to other respective delegations to the General Conference and to their governments in matters relating to the Organization and shall function as agencies of liaison in all matters of interest to it". Accordingly, an interim India National Commission for Cooperation with UNESCO was set up in 1949, and a permanent Commission was established in 1951. Since then, the working of the Commission has been reviewed from time to time. The Commission was reconstituted in September, 1974, so as to provide, *inter alia*, for four sub-commissions as against five sub-commissions earlier, corresponding to the four sectors of UNESCO's activities namely, (i) education, (ii) natural sciences, (iii) social sciences, humanities and culture and (iv) communication, and to limit the total number of 'individual' and 'institutional' members to 60 and 40 respectively.

The functions of the Commission are to promote understanding of the objects and purposes of UNESCO among the people of the Republic of India, to serve as a liaison agency between the Government of India and the institutions concerned with and working for the advancement of education, science and culture, and to advise the Government of India on matters relating to UNESCO.

The Minister of Education and Social Welfare is the President of the Commission. It is further laid down that (i) the Secretary to the Government of India in the Department of Education, Ministry of Education and Social Welfare, shall be the Secretary-General of the

Commission and shall remain in over-all charge of the work of the Commission and (ii) an officer of the Ministry of Education and Social Welfare to be nominated by the Minister of Education and Social Welfare shall be the Secretary of the Commission. The secretary prepares the agenda for the meetings of the Commission and attends to the day-to-day work connected with the affairs of the Commission.

The affairs of the Commission are managed by a Steering Committee of 14 members with the president of the Commission as its Chairman. The Commission since its inception in 1949 (then an Interim National Commission) has done useful work and contributed to the successful implementation of the various programmes of the UNESCO in India in the fields of education, science and culture.

**Permanent National Mission :** At present a delegation office is maintained at the headquarters of the UN, New York, under the charge of the Permanent Representative to the United Nations. Correspondence to the Specialized Agencies is addressed direct and under certain circumstances through the heads of our diplomatic missions in the countries in which the headquarters of the Specialized Agencies are situated. The Permanent Representative to the United Nations is under the direct control of the External Affairs Ministry.

All communications between the Government of India and the United Nations are routed through the Permanent Representative. Other ministries of the Government of India can also address the United Nations through the Permanent Representative on purely routine matters, otherwise all correspondence intended for the United Nations, Specialized Agencies and the Permanent Representative pass through the External Affairs Ministry. The Permanent Representative is responsible for liaison work with the United Nations.

The Permanent Representative is responsible for hotel accommodation for the delegates, supply of documents to the delegates, secretariat assistance and to provide other facilities to the delegates. The Permanent Representative is also sometimes included in the delegation and the First Secretary of the delegation office is also appointed to represent India on certain commissions and committees of the United Nations.

At present there is a permanent representative also at the headquarters of the regional office, Geneva.

**Archival and Reference Arrangements :** The Historical and Research Section of the External Affairs Ministry maintains a complete set of the documents of the United Nations and Specialized Agencies. Each technical ministry has also the relevant documents with which it is concerned, and takes care to keep separate files for different subjects. Spare sets of documents are indexed, catalogued and arranged

properly for easy reference. Copies of some of the more important documents are kept in the library of the ministry also.

## **II. Recruitment of Foreign Service Personnel**

The Indian Foreign Service referred to earlier was created in 1946 as a specialized service for the conduct of the whole range of India's foreign relations—political, consular and commercial. Regular annual recruitment to the Service has been through the combined competitive examination held by the Union Public Service Commission for the Indian Administrative Service and the Indian Foreign Service. The examination held by the Commission is an all-India one, at which graduates from recognized universities in all parts of the country between the ages of 21 and 26 are eligible to appear.

The training of the recruits, covering three years, has four phases. First, they take a four months' foundational course at the National Academy of Administration, studying the Indian constitution and administration, law, Indian history and culture and planning and development. Second, they have a six months' training in the districts, during which they acquire some personal and practical experience of the rural population and their problems. Third, they are attached to the School of International Studies, Jawaharlal Nehru University, New Delhi, studying international relations and international law and a history of the various regions such as South-East Asia, West Asia, etc. Fourth, they are attached for six months to the Ministry of External Affairs, and the training is rounded off by a short attachment to a military unit, and a tour of India, followed by posting abroad to a mission for languages as well as other general training for a period not exceeding one year. The system has, it may be said, on the whole worked well.

## **III. Delegations to International Conferences**

Generally speaking, India's representatives to the main bodies of the United Nations and important international conferences are chosen from such sources as Parliament, important public bodies including established industrial concerns and eminent public men in the field of law, journalism, business and academic life, while representatives on commissions, etc., are selected for their expert knowledge of the subjects dealt with in the respective committees.

The primary responsibility for determining the personnel of dele-

gation to a conference is with operative ministry. It follows that in the case of the General Assembly and other principal organs of the United Nations a panel of names is suggested by the Ministry of External Affairs which is the operative ministry concerned. The final approval to these names is given by the Government of India at Cabinet level. Where a ministry other than the External Affairs Ministry is the operative ministry, the former is always consulted before the composition of delegation such for instance as those to the Specialized Agencies, ILO, FAO, etc., is finally settled; in particular the operative ministry will enquire of the External Affairs Ministry if they wish to attach a representative of that ministry to the delegation. Invariably the Finance Ministry is also kept in touch with regard to the size of the delegation. The ministry submits to the minister-in-charge proposals for the composition of the delegation so that their names may be brought up by the minister before the Cabinet for approval. So far as the functional commissions of the Economic and Social Council are concerned, the operative ministries submit a panel of names, and final approval to the nomination is given by the Government of India at Cabinet level.

The appropriateness of the personnel of a delegation is determined primarily by their acquaintance with the specific problems that would come up for discussion in a conference, by the need for continuity of representation and the necessity for keeping costs to a minimum. The need for continuity is realized. Thus the secretary and the leader of the delegation to the UNESCO conference were invariably the same persons for a number of years; the Secretary to the Ministry of Labour and Rehabilitation has mostly been a member of the delegation to the ILO Conference. But experience shows that it is not found possible to spare the same persons away from their posts of duty within the country at frequent intervals. Further, as the experience of the Labour and Rehabilitation Ministry suggests, it is found useful to give representatives of various state governments an opportunity to get acquainted with the working of international organizations, and it means necessarily that too much emphasis cannot be placed on continuity. The necessity to keep costs to a minimum, and specially to conserve dollar exchange, has led to the practice of utilizing the services of suitable persons serving in our embassies, delegations and trade agencies abroad for representing India at international conferences, wherever practicable.

Regarding the choice of personnel, the government have always made efforts to get the best personnel for the delegations, choosing them from officials and non-officials, from Parliament and outside Parliament, from the government party and from among other members, irrespective of party or other considerations. The delegation

to the General Assembly of the United Nations in 1948, for instance, was led by India's Ambassador to the USSR, and included the Constitutional Adviser to the Constituent Assembly, one member of Parliament, a leading advocate of Bombay, the Rajpramukh (Head of State) of a Part B State, a leading representative of Indian women, an outstanding industrialist, the Secretary to the Ministry of Law and a professor of university. The composition of the delegation since 1948 has also followed more or less the same pattern. Delegates or representatives have very rarely been drawn from the ranks of Foreign Service Officials. However, some of the alternates have been Foreign Service Officials. They have been drawn as representatives, more especially to represent the Government of India on those bodies where their experts knowledge is required or to conferences of relatively less importance taking place in the region to which they are posted. Other government officials with a political, administrative or technical background are nominated as representatives to all Specialized Agencies. Delegates or representatives are rarely drawn from members of the Cabinet. The Health and Family Planning Minister and the Labour and Rehabilitation Minister have, however, led India's delegations to the WHO and ILO conferences in the past. About 20 per cent of India's representatives to the General Assembly of the UN are drawn from the legislatures; occasionally leading members of the Parliament have also represented India at the Economic and Social Council.

In the case of Specialized Agencies, persons of eminence having expert technical knowledge of a particular subject discussed in the FAO, ILO or UNESCO for instance, are selected from economic bodies, trade unions, universities, cultural associations and the liberal professions. They are not nominated by the bodies but a panel of names is suggested to the operative ministry who finalize the selections in consultation with the ministries of External Affairs and Finance. Cabinet approval is then obtained.

**Briefing the Delegations :** Written briefs on various items of the agenda of the various organizations are prepared by the operative ministry in consultation with the Ministry of External Affairs, and any other ministry concerned with the subject to be dealt with. The instructions are generally followed by the delegation but the leader at his discretion can act freely within the framework of the general instructions which are issued by the Ministry of External Affairs acting on behalf of the Government of India.

These general instructions are meant to ensure that the stand taken by a delegation is in accordance with the policy of the government. While allowing for flexibility in details within that policy framework, they give sufficient scope to the delegation to adjust their stand to the

developments which must take place from time to time after discussions with other delegations. On special questions where the delegation feels that it cannot decide on its own authority, the Government of India is contacted by means of cable and in code language for supplementary instructions.

**UN General Assembly :** After the composition of our delegations to the UN General Assembly has been finally decided by the Cabinet, the members generally assemble in Delhi and receive instructions from the Minister of External Affairs on all major questions of policy. The leader of the delegation who is appointed by the Government has the final authority in all matters concerning the delegation.

The delegates discuss the plan of work, the allocation of the subjects on the agenda amongst themselves. They also discuss generally the delegation's attitude to the more important questions in the light of the briefs provided by the Government of India. As a rule there is a daily meeting of the delegation which is normally attended by all the members of the delegation.

The secretary to the delegation keeps an eye on the day-to-day proceedings and brings to the notice of the leader of the delegation any important matter on which an action is considered necessary. Normally, meetings of the delegation are convened before or after the conference or committee sittings at which the day's work is discussed, and agreed decisions are taken regarding the line that the delegation should take—bearing in mind the briefs supplied by the government and any developments which have taken place since the briefs were supplied. Where necessary, the secretary to the delegation contacts the Government of India by means of cable and in code language for supplementary instructions on developments not covered by the briefs or other instructions received from government, and which the delegation cannot decide on its own authority.

A report of the work of the delegation is submitted to the government at the end of the session. The report is usually prepared by the secretary to the delegation who, in turn, gets the material for its various chapters from the members of the delegation and submits it to the leader of the delegation who submits it to the government. The report is expected to be a comprehensive analysis of the substance of discussions resolutions and amendments tabled, leading to the final disposal of all agenda items, with special reference to the part taken by the members of the delegation in the discussion. Normally, copies of the reports are distributed among the central ministries and state governments and placed on the table of Parliament.

**Other International Conferences :** After the composition of the delegations to the international conferences has been finally decided, their names and designations, etc., are communicated to the appropriate

authority in the United Nations. Before the departure of the delegations, they are suitably briefed on the various items of the agenda. In case of doubt or further developments during the session, they seek telegraphic clarification from the Government of India. It is left to the leader of the delegation to divide work, responsibility and authority amongst the members of the delegation in consultation with them. After the conclusion of a session, the leader of the delegation submits a final report to the Government of India for information and action where necessary.

#### **IV. India's Budgetary Obligations**

The Finance Ministry has an important role to play in respect of the financial commitments of the Government of India to international organizations.

Broadly speaking, there are two stages in the determination of our financial commitments to the different international organizations. The first relates to the formative periods of these organizations when their Charters or Articles of Agreement are being drafted and when the question of our possible membership of them is under consideration. Once the organizations are formed and India decides to become member, our financial and other commitments naturally flow from the provisions of the respective Charters and Articles of Agreement. Many formal and informal discussions take place in the early stages on the formation of a new international organization and we try to steer these discussions in the direction in which our national interest lies taking into account both our financial and other obligations and the benefits we seek to derive from it. To take only one example, namely, the formation of the Asian Development Bank. Discussions on the formation of this Bank took place in many forums, notably the forum of the Economic Commission for Asia and the Far East for several years. The formula for contribution was under discussion for quite some times at many levels before it was finally agreed upon.

Different ministries are responsible for actually meeting our financial commitments in respect of different international organizations. For instance, the Ministry of Finance is administratively concerned with the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation, the International Development Association and the Asian Development Bank. The Ministry of Food and Agriculture is responsible for meeting financial commitments to the Food and Agriculture Organization and the Ministry of Health and Family Planning for the World Health Organization, etc. These mini-



stries come to the Ministry of Finance in the normal course for sanction of expenditure arising out of our membership to the respective international organizations. But such sanctions by the Ministry of Finance are more or less automatic in so far as they flow from the fact of our having accepted the Charters or Articles of Agreement of the institutions concerned.

The members of the organizations, of course, take part in whatever machinery is provided for in the Charters of the organizations concerned to scrutinize expenditure and to suggest changes from time to time. The second stage of scrutiny, therefore, relates to this phase of active participation in the year to year functioning of these organizations. Here again, whenever there are proposals for expanding the activities of the organizations already set up, the line to be taken is evolved after appropriate inter-ministerial consultations which result in suitable briefs being prepared for the representatives or delegates to the organizations concerned. While the administrative ministry concerned will take the initiative in regard to inter-ministerial consultations and the preparation of briefs, the Finance Ministry is invariably associated whenever questions of financial commitments or overall economic policy are involved. The same is true in respect of such of financial commitments to international organizations as are either modified or determined from time to time on a voluntary basis. For example, in the case of India's contribution to the UN General Budget, her share is determined on the basis of recommendations by the UN Committee of Contributions. Indian delegates take care to be present on this committee as often as we reasonably can and indeed take part in the debates on the UN General Budget in the light of our own interests and commitments. To take another example, the Ministry of Finance is responsible for making annual financial commitments to the UN Development Programme. Contributions to the UN Development Programme are made on a voluntary basis and in the case of India, the contribution is in the form of non-convertible rupees. Naturally, the point of view of the Ministry of Finance as also of the other ministries more directly concerned with our general relationship with the United Nations is taken into account in determining the contribution.

The responsibility for the preparation of the appropriate documents—bills, decrees and executive orders—in respect of United Nations work is lodged initially in the External Affairs Ministry in consultation with the ministries concerned; the responsibility for such work in respect of the Specialized Agencies lies with the ministries of the Government of India concerned in consultation with the External Affairs Ministry. The responsibility for seeing to it that the necessary

legislative or administrative measures are applied lies with the operative ministry.

The responsibility for reporting to the international agency concerned on the action taken is with the External Affairs Ministry in respect of the United Nations and other matters involving policy in respect of Specialized Agencies. Otherwise, in respect of the Specialized Agencies, the responsibility is lodged in the ministries concerned.

## APPENDIX

**List of U. N. Bodies/Agencies of which India is a Member  
As on October 24, 1975.**

1. International Court of Justice.
2. Committee on the Peaceful Uses of the Outer Space.
3. Special Committee on the Implementation of the Declaration on Colonialism.
4. Scientific Committee on the Effects of Atomic Radiation.
5. Peace Observation Commission.
6. Special Committee on Peace Keeping Operation.
7. Committee on Disarmament.
8. Special Committee on World Disarmament Conference.
9. Committee on the Peaceful Uses of the Seabed & Ocean Floor beyond the limits of national jurisdiction.
10. Ad hoc Committee on Indian Ocean.
11. Investments Committee.
12. UN Administrative Tribunal.
13. United Nations Scientific Advisory Committee.
14. Special Committee on Apartheid.
15. Committee on the Elimination of Racial Discrimination.
16. United Nations Commission on International Trade Law. (UNCITRAL)
17. United Nations Council for Namibia.
18. Joint Inspection Unit.
19. International Civil Service Commission.
20. United Nations Institute for Training and Research Board of Trustees.
21. United Nations Research Institute for Social Developmental (UNRISD) Board.
22. Commission on Narcotic Drugs.
23. Statistical Commission.
24. Commission on Human Rights.
25. Sub-Commission on Prevention of Discrimination and Protection of Minorities.
26. Commission for Social Development.
27. Commission on the Status of Women.
28. Population Commission.

29. Commission on Trans-national Corporations.
30. Economic and Social Commission for Asia and the Pacific. (ESCAP)
31. Committee on Housing, Building and Planning.
32. Committee for Programme and Coordination.
33. Advisory Committee on the Application of Science and Technology.
34. Committee on Science and Technology for Development.
35. Committee on National Resources.
36. Committee on Review and Appraisal.
37. Committee for Development Planning.
38. Executive Committee of the Programme of the United Nations High Commissioner for Refugees.
39. United Nations/FAO Inter-governmental Committee of the World Food Programme.
40. International Narcotics Control Board.
41. Governing Council of the United Nations Development Programme.
42. Governing Council of the United Nations Environment Programme.
43. Industrial Development Board of UNIDO.
44. Trade and Development Board of UNCTAD.
45. World Food Council.
46. Board of Governors of the Special Fund.
47. Executive Board of the UN Children Fund.
48. International Labour Organisation (ILO)
49. Food and Agriculture Organization (FAO)
50. United Nations Educational Scientific and Cultural Organization (UNESCO)
51. World Health Organization (WHO)
52. International Bank for Reconstruction and Development. (IBRD)
53. International Finance Corporation (IFC)
54. International Development Association (IDA)
55. International Monetary Fund (IMF)
56. International Civil Aviation Organization (ICAO)
57. Universal Postal Union (UPU)
58. International Telecommunication Union (ITU)
59. World Meteorological Organization (WMO)
60. Inter-Governmental Maritime Consultative Organization (IMCO)
61. International Atomic Energy Agency (IAEA)
62. General Agreement on Tariffs and Trade (GATT)
63. World Food Council.

64. ILO—Governing Body.
65. FAO—Council.
66. UNESCO—Executive Board.
67. ICAO—Council.
68. ITU—Administrative Council
69. WMO—Executive Committee
70. IMCO—Council.
71. Asian Development Bank.
72. World Tourism Organization.
73. World Intellectual Property Organization (WIPO).



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